

# Seufert Law Offices, PA

*We'll Get You Through It*

## From the Captain's Log Supporting our Veterans and their Families



While Memorial Day may just be another long weekend for most, it is a day and time to give honor, reflect, and appreciate all those who have served, and are serving, in our Military, and by that reflection we also acknowledge the dedicated families of our Veterans, who also make great sacrifices. Each year, this being the 7th year, VFW Auxiliary, Hospital/VAVS Manchester Representative with the State of New Hampshire works with Auxiliaries around the state to present Warrior Mom bags to the Women's Clinic for their baby shower.



Seufert Law has been, and continues to strongly support, our veterans throughout the years, through its donations towards the local VFW post renovations, their funeral luncheons, dinners, raffles for their fundraisers and craft fairs, and other contributions so they can continue their community work. Our long time employee, Terry Hoyt, Auxiliary Member, Past Officer and Past Trustee this month presents to Deborah Berube, Auxiliary President for Franklin VFW, Post 1698, twenty-five Warrior Mom Bags with homemade baby quilts and knitted baby hats for the 7th Annual VAMC Baby Shower honoring Veteran families.

Thank you to our Veterans and their families, current and past, for their continued service and sacrifices. ***Semper Paratus.*** •

June 2024 News





# Personal Injury Settlements and Social Security Benefits

Will receiving a lump-sum personal injury (PI) settlement affect one's social security benefits? Let's take a look.

Cutting to the chase, **Social Security Disability Insurance (SSDI) recipients are not affected by a PI Settlement.** SSDI is an "earned asset" program that is subsidized by those pesky FICA (a.k.a. payroll) taxes that take a cut from employees' weekly paychecks — or SECA taxes for the self-employed.

**A PI settlement also has no effect on those who receive regular monthly social security retirement benefits.** These benefits, like SSDI, are based on work history and funded by you by your FICA taxes.

Supplemental Security Income (SSI) benefits are different. They are considered "needs based" and are not tied to one's work history. SSI is funded by general US tax revenues, not social security taxes. To receive SSI benefits, one must be disabled, blind, or at least 65 years old and pass an maximum assets test. A spouse's income figures into the equation as well.

Depending on its size, **a lump-sum settlement may reduce or terminate SSI benefits**, but SSI recipients have options whereby they can receive a PI award and protect their current SSI benefits simultaneously by making "qualified purchases-spend downs". They include making home modifications to accommodate one's disabilities, paying off a home mortgage or other existing debt, prepaying one's funeral expenses, or setting up a structured settlement or special-needs trust.

**NOTE:** The Social Security Administration requires someone awarded a lump-sum personal injury settlement to report it within 10 days of receiving it to avoid penalties.

A disability need not force you to choose between PI compensation and intact SSI benefits. If you have been harmed by someone's negligence, contact our firm for professional, thoughtful guidance. ●



# Recreational Boating: Fun Yet Serious

June 2024 Notable Dates

**June 5**  
Hot Air Balloon  
Day

**June 14**  
Flag Day

**June 16**  
Father's Day

**June 19**  
Juneteenth

**June 20**  
Summer solstice

**June 28**  
Paul Bunyan Day

**June 30**  
Meteor Day

Recreational boating enthusiasts rejoice at the opportunity to hit waterways with an open motorboat, cabin motorboat, or personal watercraft. But as with any type of driving, accidents — and negligence — can happen. Some “captains” can have big wallets and little brains.

According to U.S. Coast Guard (USCG) statistics, recreational boating fatalities tallied 636 in 2022; over 2,200 nonfatal injuries that required professional medical attention were reported (emphasis on reported). Boating accidents encompass collisions, falling overboard, capsizing, and flooding, and most occur in pleasant conditions: calm waters, good visibility, and light wind.

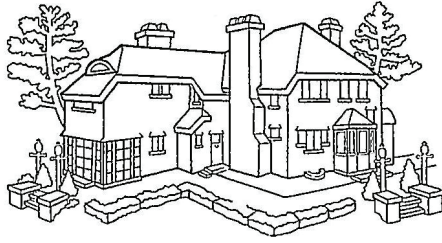
Common causes of boating accidents include:

- **Operator inexperience.** When boating-instruction circumstances were known, the USCG reported that 74% of boating deaths in 2022 occurred when the boat operator did not have adequate boating instruction. Take a boating safety course that meets the National Boating Education Standards. (In some states, it's a requirement; in other states, it's not).
- **DUI/DWI.** If a boat operator drives while under the influence of alcohol or drugs, they are breaking the law. Period.
- **Excessive speed.** A safe speed offers better control of the craft, extends reaction time, and diminishes the chances of striking other boats, swimmers, or hazardous objects.
- **Improper lookout.** Every boat operator needs a Gilligan to look out for obstacles or hazards.
- **Distracted driving.** Same distractions as on roadways, plus dolphins on occasion.
- **Weather downturns.** Pleasant conditions sometimes abruptly give way to strong winds, rough waters, and decreased visibility.

The USCG also stated that where the cause of death was known, 75% of recreational boating fatalities were attributed to drowning — **and 85% of victims were not wearing a life jacket!** It is also highly recommended that boat operators wear/attach an engine cutoff switch.

Attorney Seufert is a former USCG-NCO. If you find yourself the victim of negligence, contact our firm to protect your rights. •

Seufert Law Offices, PA  
Attorneys At Law



59 Central Street, Franklin, NH 03235  
(603) 934-9837  
www.seufertlaw.com

*Protect Your Family, Protect Your Rights*



Supporting  
our Veterans and  
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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.

## A Sporting Chance

Injury to a spectator at a professional sporting event is not all that uncommon. For some injuries, the legal doctrine of “assumption of risk” kicks in. For instance, anyone attending a baseball game knows a foul ball entering the stands is a possibility. Your ticket stub, warning signs, and the public address announcer will stress the point as well. So foul balls, wayward hockey pucks, and an occasional basketball player winding up in your lap are situations for which you will likely obtain no restitution if you are injured.

However, there are always exceptions. One example is the foul ball net behind home plate that protects fans. If management neglects to fix a gaping hole that allows a ball to go through and injure someone, they might be held liable.

If injuries occur due to an unforeseeable event, a spectator may have grounds to file a personal injury lawsuit. For instance, a brawl breaks out on the court, ice, or field of play that spills into the stands, causing injury to a fan.

In addition, the owners of a facility must also be sure that the premises are safely maintained (e.g., steps, railings, lighting, etc.). Adequate security is also the responsibility of an arena or stadium owner.

If you sustain an injury at a sports venue outside the “assumption of risk,” file an incident report with the facility and verify the accounts recorded (ask for a copy). Get witness information, if possible, seek immediate medical attention, make sure your medical records accurately reflect your circumstances, and then contact a personal injury attorney to protect your rights. ●

