

MARCH 2015



POINTS OF INTEREST

NEWS AND VIEWS OF THE SPANGENBERG LAW FIRM.

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FRATERNITIES: DANGER ON CAMPUS

BY: DENNIS R. LANSDOWNE, ESQ.



College fraternities have a long history on our nation's college campuses. Unfortunately, the current atmosphere in fraternities is often fueled with excessive alcohol and characterized by dangerous behavior.

While the out-of-control frat was played for amusement in the 1978 movie, *Animal House*, the human cost of wanton behavior is no laughing matter. Between 2005 and 2012, there were 52 deaths and 5 students were paralyzed in incidents relating to fraternities. The statistics regarding sexual assaults are similarly shocking.

Yet, when the international fraternities are sued by the victims of fraternity misconduct and their families, the response is that the international has no responsibility for the conduct of its duly chartered local chapters. The international attempts to shift blame to the local chapters, which often are underinsured and have few assets.

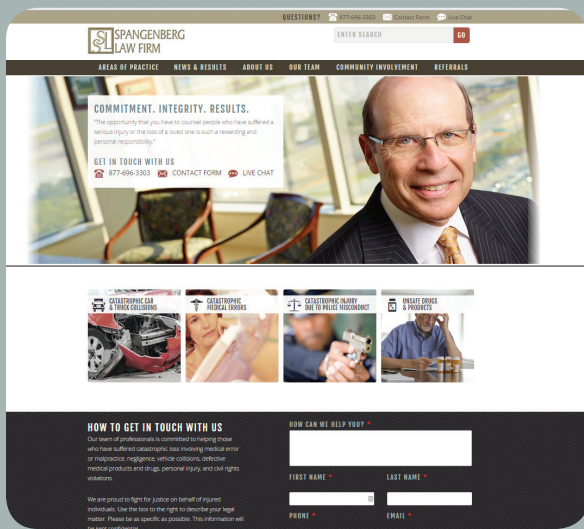
Not all fraternities are the same. Some do a good job of educating their members about the risks of alcohol abuse and other dangerous behavior. Open parties where alcohol flows freely – frequently to underage students – are a major source of injuries and deaths on campus.

These types of parties are expressly forbidden by the safety rules adopted by many international fraternities. Too often, however, this behavior is tolerated, or even tacitly encouraged, by the international.

If your son or daughter is a college student, make sure they are aware of the risks posed by reckless fraternities. One tragic incident can change a life forever.

Our firm recently concluded a case for a student who was paralyzed as a result of a fraternity's wanton misconduct. She was 20 years old when she suffered these catastrophic injuries. Despite being confined to a wheelchair, with limited use of her arms, she managed to graduate from college with a near 4.0 average and is hoping to enter pharmacy school next year. The settlement will ensure that she is always taken care of, but it can never fully replace what was taken from her.

For more information about the dangers of fraternities, search *David Glovin* at www.Bloomberg.com.



NEW LOOK, MORE OPTIONS

BY: BARBARA ANDELMAN, ESQ., CHIEF OPERATING OFFICER

If you have visited our website at www.Spanglaw.com recently, you may have noticed our all-new look! Our goal is to allow our website visitors to more quickly find the information they are seeking.

Our newsletter has been updated as well, and now readers will have a new option: delivery of our newsletter by email. Many readers have expressed interest in receiving their newsletters electronically, which allows the convenience of receiving news “on the go” with mobile devices.

Please take a moment to let us know your preferences. You may continue to receive a paper edition of the newsletter by U.S. Mail, opt for just email delivery, or choose both delivery methods.

Please confirm your newsletter delivery choices by phone toll free at (877) 976-7834 or online at www.surveymonkey.com/s/NewsletterDelivery. ♦

MARCH IS TRAUMATIC BRAIN INJURY AWARENESS MONTH

BY: WILLIAM B. EADIE, ESQ.

According to the Centers for Disease Control and Prevention, an estimated 3.8 million sports-related concussions occur in the U.S. every year.

In recognition of March as Brain Injury Awareness Month, we draw attention to the risk of traumatic brain injury (TBI) to young athletes.

The issue of TBI among both young and professional athletes has been getting a lot more attention in the media. Parents are growing anxious about head injuries in sports their children play. High-profile NFL players have also gone on record saying they do not want their children playing football due to the concussion rate. According to a recent ESPN poll:

- Two-thirds of both moms and dads say there’s “too much emphasis on winning over having fun.”
- Over 87% of parents worry about the risk of injury, with concussion cited the top concern. 25% of all parents have considered keeping their children from playing a sport due to fears about head injuries.

The concerns are real. Football is the number one cause of concussions in male high school athletes and lacrosse is the top sport for women. Perhaps as a result of the

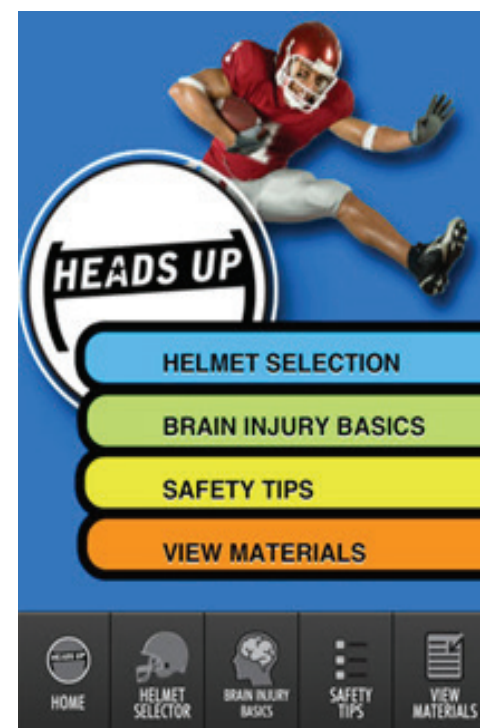
focus on youth sport injuries—and concussions specifically—there has been a significant drop in participation in youth sports.

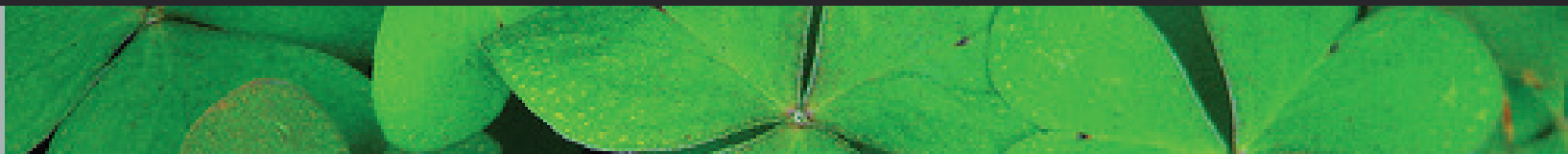
A concussion is a traumatic brain injury that can result from a bump, blow, or jolt to the head. It can also occur when the brain moves rapidly back and forth, due to a blow to the body, causing stretching, damaged cells, and chemical changes in the brain. Because the brain becomes more vulnerable to further injury after a concussion, athletes who have repeated concussions are more likely to get long-term brain damage and to develop a condition known as chronic traumatic encephalopathy (CTE), a progressive degenerative brain disease.

According to the CDC, “children and teens are more likely to get a concussion and take longer to recover than adults.” The National Center for Injury Prevention has reported that 47% of high school football players are diagnosed with a concussion each season, with 35% of those reporting multiple concussions in a single season. The American College of Sports Medicine estimates that 85% of concussions go undiagnosed.

Football is making some changes, but the sport can’t eliminate concussions without eliminating full-contact.

Wearing properly-fitted helmets and protective equipment correctly can reduce the risk somewhat. But not eliminate it. If you’re a parent with kids playing contact sports, the CDC has an app for that: the free Heads Up App helps parents learn how to identify the symptoms of brain injury and to choose the right helmet. It’s available at www.cdc.gov/headsup, along with other helpful information and resources. ♦





MARCH 17 IS ST. PATRICK'S DAY: TEST YOUR FUN FACTS KNOWLEDGE

ST. MAEWYN'S DAY St. Patrick's birth name was Maewyn Succat.

NOT QUITE IRISH St. Patrick wasn't Irish and he wasn't born in Ireland. His parents were Roman citizens living in modern-day England (or in Scotland or Wales -

scholars cannot agree on which). He was born in 385 AD.

ST. PATRICK WAS A SLAVE At the age of 16, Patrick was kidnapped by raiders who sold him into slavery. At the age of 22, he managed to escape.

SHOULD WE WEAR BLUE? St. Patrick is typically pictured wearing light blue clothing. The color green became associated with the day in the late 18th century.

"ERIN GO BRAGH" This phrase means "Ireland Forever."

IS THERE CORN IN THE BEEF? Corned beef and cabbage, a traditional Saint Patrick's Day staple, doesn't have anything to do with the grain corn. The large grains of salt that were historically used to cure meats were known as "corns."

BONUS FACT: Your odds of finding a four-leaf clover are about 1 in 10,000! ♦



5 TIPS WHEN CHOOSING A NURSING HOME

BY: NICHOLAS A. DICELLO, ESQ.

One of the most difficult decisions a family will have to make is whether to place a family member in a nursing home. By planning ahead, you can take time to do your research and evaluate different facilities – which will help you feel confident that you've made the right choices.

1. Visit the nursing home in person and feel free to visit more than once. Schedule your tour at lunchtime. The busy lunch hour is a good time to see if the facility is adequately staffed and how residents are treated. Make sure that your tour includes every area that is accessible to facility residents, including the kitchen, residents' rooms, shower rooms, common areas, and physical therapy rooms.
2. Trust your instincts. Do the residents look well cared-for? Are they bathed and appropriately clothed? Do the residential areas smell clean? Are the residents getting the assistance they need and request? How long before someone responds when a resident pushes the call button in their room?
3. Visit often. Your elderly loved one may not be his or her own best advocate. During your visits, check to make sure that the care is appropriate. Is the walker too far away from the bed? Are required safety precautions in place? Is there water near the nightstand? Is the patient being turned often enough?
4. Look for a "dual-eligible" facility that accepts both Medicare and Medicaid. Many people may believe Medicare covers nursing home care for a lifetime. However, Medicare only covers 100 days in a nursing home. Consider how quickly your loved one will go through their savings and become eligible for Medicaid, the major payer of nursing home care. If the nursing home does not accept Medicaid, they can evict your loved one from the nursing home if your family becomes unable to pay.
5. The most comprehensive site about nursing homes is www.Medicare.gov. Its Nursing Home Compare tool allows consumers to compare skilled care nursing homes by city, state, and zip code. ♦

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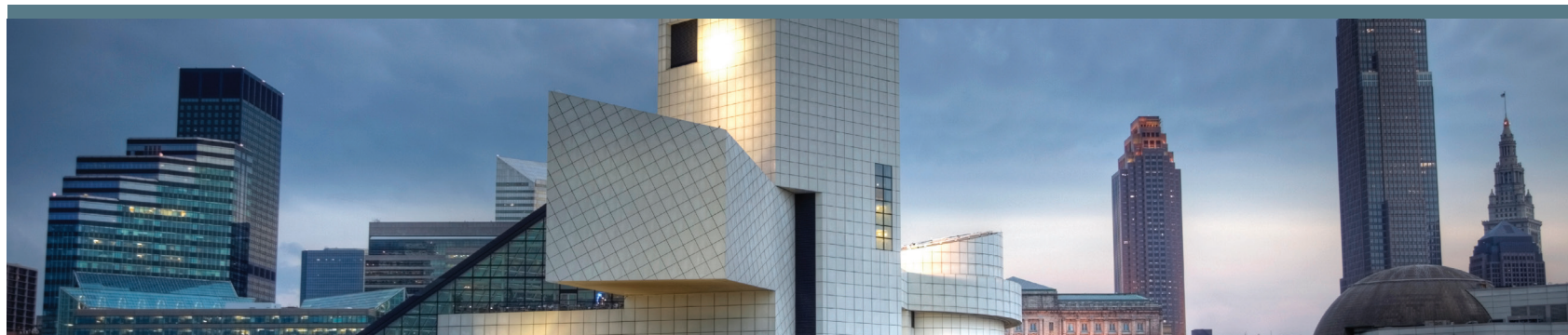
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A referral from a client or friend is the greatest compliment our firm can receive. We are grateful for every one of these gestures and for the confidence you place in us by doing so. From all of us at Spangenberg, Shibley & Liber, we express our sincere appreciation. Thank you!

TEAM UPDATE MARCH 2015: A SAMPLE OF CASES WE'RE WORKING ON

Our clients are the family of a 69-year-old woman who died tragically following several falls at a skilled nursing facility where she was receiving 30 days of rehabilitation following elective cranial surgery for Parkinson's syndrome.

Although she was well known to be a fall risk due to her recent surgery and history of Parkinson's, our client was taken to the bathroom by a nurse's aide but left alone and unattended when the nurse's aide's shift ended, resulting in our client falling and shattering her wrist and injuring her skull. Two days later she was once again left unattended, resulting in her falling and breaking her hip, which required hip replacement surgery. Unable to recover from these traumatic injuries, she died a short time later. ♦

Our client underwent a colostomy. After a 6-month recovery, she had surgery to reverse the colostomy. When the client awoke from the surgery, she realized that she had no feeling in her left thigh.

After recovering from anesthesia, it was discovered that she had suffered a nerve injury during the surgery. This was ultimately diagnosed as a femoral neuropathy. Because of her crippling injuries, she has fallen and broken her wrist. The client, a widow who lives alone, is restricted to using a walker and must rely on her family to provide transportation and assistance in maintaining her house and day-to-day living. ♦