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# QUATRINI RAFFERTY

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ATTORNEYS AT LAW

## LEGAL UPDATE

*A publication provided for the friends and clients of QR*

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VOLUME 9 NUMBER 4

550 E. PITTSBURGH STREET, GREENSBURG, PA 15601

FALL 2008

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### "I SAW THAT ADVERTISED ON TV"

You do not see QuatriniRafferty advertisements on television. You do not see QuatriniRafferty billboards staring back at you as you drive down the highway. What you will see when you come to our office is a team of professionals who have represented thousands of individuals who have suffered serious injury or death in automobile, motorcycle, slip and fall and other accidents caused by someone else's carelessness.

What you may not know is that representing people hurt in accidents is a substantial part of our everyday practice at QuatriniRafferty. We do not want you to be one of our clients that tells us, "Oh, I did not know that your firm did that kind of work."

We are proud to tell you that the overwhelming number of our new clients call us because they are referred to us by current and former clients. We consider a referral by you to your friends, family members and neighbors as the highest compliment. We have found, however, that since we do not run fancy advertising campaigns, some of you who are already our clients for a workers' compensation injury or a claim for disability or a real estate closing may not realize that we also have an entire department that handles personal injury cases.

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### "BACK TO THE FUTURE"

**D**id you notice anything different at the top of the page? We have a new name – we are once again QuatriniRafferty.












Many of you will remember that QuatriniRafferty was originally formed in 1987 and located its office at the historic Seventh Ward Schoolhouse. For the past 21 years, we've continued to occupy the schoolhouse and we have grown to 10 attorneys and 21 support staff who are dedicated to solving legal problems for our clients on a daily basis.

In October, Dick Galloway, our friend and colleague who was part of our firm for 17 years, opened a law office with his daughter and son-in-law. His secretary, Betty, has joined him. Best of luck to Dick in his new venture.

As a result of this change, we've resumed our original name, linking our past to our future! We are honored that you have chosen QuatriniRafferty to represent you in your legal matters and we look forward to providing a lifetime of legal care for you.

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*The LEGAL UPDATE is prepared by the staff of QR for its friends and clients. The UPDATE sets forth general principles and should not be acted upon without specific advice.*

# THINKING OF RETIREMENT? DON'T MAKE THESE MISTAKES

*By David S. DeRose, Esq.*

## ~ NO CURRENT WILL ~

Your Will expresses your intent at the time of your death. Whom have you designated to receive your property? Whom have you selected to administer your affairs? Sometimes Wills are made when people are just starting their families and they are now inadequate and out of date. Take the time now to review your old Will with one of our attorneys and make necessary changes to properly protect your loved ones.

## ~ OUTDATED/MISSING BENEFICIARY DESIGNATIONS ~

Check life insurance policies, IRA accounts, pension funds, annuities and any other type of investment for which you have a beneficiary designated or for which you may designate a beneficiary. Again, as with a Will, beneficiary designations made years ago may be outdated. It is important to understand the benefits of passing certain types of assets directly to beneficiaries which avoids probate for those assets and can have a positive tax effect for your family and your heirs.

## ~ "ALL YOUR EGGS IN ONE BASKET" ~



Review your investment portfolio to ensure that it is diversified. Over the years, because you might work for a particular corporation or have an interest in a particular business or company, your investments can become top heavy in one particular stock holding. This may be too risky going into the retirement years, particularly in light of recent economic turmoil. You should consult with a financial analyst to spread out the risk and keep your assets properly working for you long into your retirement years.

## ~ INADEQUATE INSURANCE ~

Automobile and homeowner's insurance policies should be reviewed by an insurance professional to make certain that your policy limits are adequate to protect your resources. It is sometimes advantageous to consider "umbrella" protection. This coverage provides greater liability coverage in the event of a serious accident or injury caused by you or occurring on your property.

## ~ INADEQUATE HEALTH OR LONG TERM CARE INSURANCE ~

Longer life spans and the rising cost of health care can create a financial crisis. It is important to examine both health insurance programs which supplement Medicare and long term care insurance. Long term care insurance comes in many forms and is available to help pay for nursing home services, in-home medical care and/or assisted living care. Consult with an insurance professional to explore the available options to help pay for your care and preserve your assets for your heirs.

## ~ NO OVERALL PLANNING ~

While checking your beneficiary designations on your life insurance, retirement funds, annuities, etc. and reviewing your Will and other legal documents, it is important to put a comprehensive plan in place. This not only ensures your ability to meet your needs on a day-to-day basis during retirement but also looks to maximize benefits to your heirs at the time of your death.

QR's Lifetime Legal Care® program is designed specifically to help you through these many issues. Give us a call at 724-837-0080 to discuss your particular situation.

# "I SAW THAT ADVERTISED ON TV"

Continued from page 1

How does QuatriniRafferty compare to the claims made by the attorneys who advertise on TV?

First of all, the founding partners of our firm have an "A" rating from other attorneys around Pennsylvania. In other words, we have the highest ranking among our peers. Secondly, we have represented thousands of personal injury clients for over 35 years. Our attorneys have taken many cases to trial and are prepared to go to court to fight for you.

In addition to matching the TV firms on every single service point, we provide something more - we are right here in your backyard. You can get in your car and drive to our office in 30 minutes or less from any part of Westmoreland County, park for free, and walk directly into our beautiful schoolhouse office building. Many people believe that you have to call a Pittsburgh law firm if you have a serious injury. Wrong! Consider this comparison:

<u>Claims by TV Advertisers:</u>	<u>What does this mean to you?</u>	<u>Compare what we offer at QuatriniRafferty.</u>
No Fee unless recovery is made	Legal services are provided on a contingent fee basis which means an attorney only collects a fee if money is obtained for the client	√ <b>YES</b> At QR, we only charge a fee if we collect for you. <b>Bonus:</b> Our fee does not increase if your case goes to court.
Litigation Expenses Paid	Costs are advanced by the law firm to investigate and obtain evidence to prove a claim. These include the cost of medical records, investigation reports and court filing fees.	√ <b>YES</b> At QR, we advance the money to fight your case. <b>Bonus:</b> If you do not recover money damages, we do not ask you to repay these costs.
Free Consultations	There is no charge for an initial meeting to discuss the details of a personal injury case with an attorney.	√ <b>YES</b> At QR, we have always offered a free personal consultation with one of the <u>lawyers</u> who will handle your case.
Home or Hospital Visits	The client who cannot come to the office can be seen at their home or in the hospital.	√ <b>YES</b> At QR, we are sensitive to our clients' needs. We will meet with our clients where convenient.
Investigation	An investigator may be needed to take photographs of accident scenes, to track down witnesses or to locate other details after an accident.	√ <b>YES</b> At QR, we have private investigators immediately available. It is critical to preserve evidence from the accident quickly.
Toll-Free Number	To save on long-distance charges, toll-free numbers are helpful.	√ <b>YES</b> Our toll-free number is 1-888-288-9748
24/7 Service	The ability to reach an office after regular business hours.	√ <b>YES</b> You can reach QR by phone or e-mail 24/7.

There are other important reasons to trust QuatriniRafferty with your personal injury case: our team approach; our many years of experience; our familiarity with local court practices; our state-of-the-art technology; and our expert and investigative resources. All of these factors allow us to fully develop your case and achieve a fair result for you.

At QuatriniRafferty our law firm offers all of the services that you see advertised on television. Our reputation comes through our past service to clients and through involvement in our community. We are not bombarding you with advertisements, but we are experienced and ready to serve people who are faced with the challenges caused by serious injuries or death of a loved one.

# FAQs: SOCIAL SECURITY RETIREMENT

At QR, we assist clients seeking Social Security disability or Supplemental Security Income benefits. The Social Security Act also provides **retirement** benefits. While an attorney is not needed to obtain retirement benefits, here are some questions we often answer.

## **Who can receive retirement benefits?**

Retirement benefits are generally available to individuals 62 years of age or older who have paid enough F.I.C.A. (payroll) taxes to become "fully insured". Fully insured is defined differently in different circumstances, but is most often earned by paying F.I.C.A. taxes for ten years (40 quarters of coverage).

## **When should I retire?**

That answer varies with each person's situation. You can elect to take your retirement benefits as early as age 62 or as late as age 70. If you opt to receive SS retirement benefits at age 62, your benefit amount (computed using a complex formula) will be reduced by a percentage based on the year of your birth. Your benefit will not be reduced if you begin receiving your benefits at or after your full retirement age (often age 66). If you work until age 70 before receiving SS retirement benefits, your benefit amount will be increased. The website for the Social Security Administration, [www.socialsecurity.gov](http://www.socialsecurity.gov), provides information about your full retirement age and the reduction in the amount of your retirement benefits if you retire at age 62.

## **If I elect to take reduced retirement benefits, will my benefits be increased when I reach my full retirement age?**

No. Once you begin receiving SS retirement benefits, your choice (reduced retirement at age 62, benefits at full retirement age, or increased benefits at age 70) cannot be changed for the rest of your life. The amount of your monthly benefit will be raised only by the annual cost-of-living increase.

## **When can I get Medicare?**

Unless you are disabled, you will not be eligible for Medicare until age 65, regardless of when you begin receiving your SS retirement benefits. If you elect to take your reduced retirement benefits at age 62, you will not receive Medicare until you reach age 65.

## **Can I work after I begin collecting SS retirement benefits at age 62?**

Yes, but not without consequences. If you collect retirement benefits at age 62 and keep working until your full retirement age, your retirement benefits will be reduced by \$1 for every \$2 you earn above the retirement earnings exemption (\$13,560 for 2008). When you reach full retirement age, the earnings limit no longer applies.

## **What kind of retirement benefits can my spouse receive?**

Your spouse can receive benefits based on his or her own wages, but may also receive a percentage of benefits based on *your* retirement account. Retirement benefits will be paid on your spouse's earnings first, and then an additional amount will be paid to make up the difference based on your earnings record.

## **Can I collect retirement benefits on my deceased spouse's account?**

As early as age 60, you can begin to collect retirement benefits based on the wages of your deceased spouse. If you have an employment history or continue to work past age 60, when you retire you will first collect retirement benefits based on your earnings. You may be entitled to an additional amount based on your spouse's account.

## **Can I collect retirement benefits on my ex-spouse's account?**

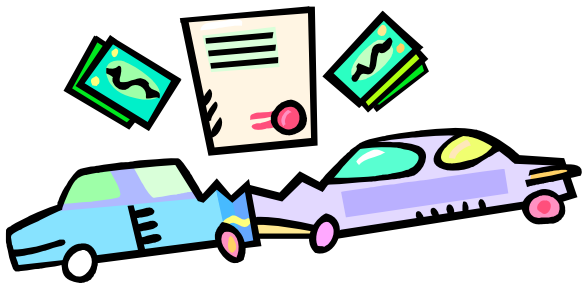
Yes, provided you were married more than 10 years, your ex-spouse has retired, you are 60 years of age, and you have not remarried. This is the case even if your ex-spouse has remarried and the current spouse is also collecting benefits on the account.

## **Where can I get additional information?**

The free Social Security Publication No. 05-10035 can be obtained by calling 1-800-772-1213 or visiting [www.socialsecurity.gov](http://www.socialsecurity.gov). The website also has a calculator for future retirement benefits.

# LIMITED TORT – NEVER A GOOD CHOICE!!

*By Joyce Novotny-Prettiman, Esq.*



In these challenging economic times, we are all forced to examine the household budget. But when it comes to your car insurance, be careful to examine all your options.

As outlined in past articles, approximately one-half of Pennsylvania vehicle owners have opted out of full tort coverage and elected limited tort. While the limited tort option offers savings, you need to be aware of the significant impact this choice has on you and your family's legal rights.

Unfortunately, many people learn after an auto accident, when it is too late, that their choice of limited tort eliminates the ability to receive compensation for injuries and inconvenience. You can't really understand the impact of this decision until you are the one who has been injured and your life has been turned upside-down through no fault of your own. You must select full tort or you lose important legal rights.

We cannot emphasize enough that limited tort is a bad option.

You may read this and think that this advice is all well and good, but money is tight. In that case, here are some options you can investigate:

- ◆ shop around – compare rates with different companies
- ◆ ask about a multi-policy discount – many companies will give customers a discount when they purchase both auto and homeowner's insurance
- ◆ ask about other discounts – if your car is equipped with safety features or anti-theft devices, many companies will offer a discount on your auto insurance
- ◆ ask about payment options – beware of extra "service charges" if you are extending your premium payments
- ◆ duplicate coverage – if you have a good private health insurance plan with low co-pays and deductibles, you may not need to purchase more than the minimum medical benefits of \$5,000
- ◆ collision coverage – may not make sense for older cars
- ◆ ask about higher deductibles – increasing deductibles should reduce premiums

Most insurance agents are willing to work with you and to make suggestions which enable you to afford a policy that provides you with the full tort option.

Hopefully, you will never be faced with the task of sorting out your legal rights after an accident. Keeping full tort is the only way to be sure that your family will avoid the terrible realization that you have lost important legal rights by opting for limited tort.

As always, at QuatriniRafferty we are happy to review your auto insurance policy so that we can help to explain your options. Please call Attorney Dennis Rafferty or Attorney Joyce Novotny-Prettiman for answers to questions about your policy or any other questions about a personal injury matter.



# QR COMMUNITY PARTNERS

There are many organizations in our community that provide important services but their work is not always well-publicized. **Westmoreland Cleanways** is an organization dedicated to recycling efforts and eliminating illegal dumping and littering in our community. Ellen C. Keefe, a Certified Recycling Professional and Executive Director of Westmoreland Cleanways, provided the following article. Attorney Michael V. Quatrini of QuatriniRafferty is a member of the organization's board of directors.

## WESTMORELAND CLEANWAYS: WHAT WE'RE ALL ABOUT

By Ellen C. Keefe



Westmoreland Cleanways is a non-profit organization whose mission is to protect, restore and maintain the environmental qualities of our county for the benefit of all who live, work, and visit herein. We accomplish our mission by sponsoring and promoting programs that address the proper disposal of solid waste through recycling, special collections, and the cleanup of illegal dumpsites and littered areas. We educate the public through presentations, print media, and the web.

Westmoreland Cleanways is governed by a small staff and volunteer board of directors. We coordinate with other recycling professionals in order to provide Westmoreland County with the most up-to-date knowledge and services available in the rapidly growing recycling industry. Some of the services we provide are:

### Single Stream Drop-off Recycling Program:

We provide more than 40 drop-off locations throughout the county to recycle corrugated cardboard, chipboard, magazines/catalogs, newsprint, aluminum and bimetal cans and #1 through #7 plastic.

### Annual Household Hazardous Waste Collection:

We provide means to properly dispose of potentially toxic household waste such as automotive fluids, lawn and garden chemicals, oil-based paints, etc.

### Special Collections:

Collections are held at various sites in the spring and fall for hard-to-dispose items such as tires, scrap metal, freon appliances and electronics.

### E-waste/Electronics Collections:

E-waste is collected at all special collections; all e-waste will eventually be banned from landfill disposal.

### Special Events Recycling:

ClearStream recycling containers are loaned to community events organizers for fairs, festivals, athletic events, and other public gatherings to collect beverage bottles and cans for recycling.

Technical support is provided to organizers for other ways to conduct "green" events.

### Backyard Composting Workshops:

Workshops are conducted by Penn State Master Gardeners to promote composting of organic yard and kitchen waste at home; free home composters are distributed in partnership with PA DEP and Penn State Department of Crop and Soil Science.

Volunteers play a vital role in conducting programs offered by Westmoreland Cleanways and are essential to man the numerous special collection events held throughout the year. While staff can do the coordinating to be sure all the pieces are in place, it takes the volunteers to actually complete the puzzle.

Membership dues are equally as important as the "sweat equity" provided by volunteers. The voice of our members drives us to understand the needs of the community. Membership dues are kept intentionally low to allow everyone to be a part of the organization (although additional donations are always graciously accepted). Annual dues are: \$5/Individual; \$15/Family; \$25/Business; \$100/Corporate.

To find out how you can participate in Westmoreland Cleanways' mission or to obtain information on recycling services available in your community, visit [www.westmorelandcleanways.org](http://www.westmorelandcleanways.org) or call 724-836-4129.

## QR IN THE COMMUNITY

In June, Attorney **David DeRose** presented a seminar on nursing home financing and planning in Indiana, Pennsylvania. David discussed the four principal ways to pay for nursing home care: private pay by the patient or patient's family; long term care insurance; Medicare, which has a limited benefit; and the Medicaid system administered through the Pennsylvania Department of Public Welfare. David spoke at the request of Richard A. Leasure, Certified Financial Planner with Premiere Financial Associates in Indiana.

The Westmoreland Columbus 500 recently honored Attorney **Vince Quatrini** as "man of the year" at their annual scholarship banquet held at Ferrante's Lakeview in Greensburg. The organization honors outstanding individuals of Italian descent along with providing scholarships to deserving students.

The Ligonier Valley Business and Professional Women's Club held their annual Luxury Bash in September at Antiochian Village. This event raises funds to support the club's scholarship fund which benefits young women in the Ligonier Valley School District. The grand prize of Steeler tickets, donated by QuatriniRafferty, was won by Luanne Newhouse of Latrobe. Luanne is pictured above (*left*) with QR paralegal and LVBPW member **Brenda Sherbondy** (*right*).



QuatriniRafferty was one of the sponsors of the 15th Annual Polo for the Cure. Nearly \$140,000 was raised through the sale of admission tickets, silent auction items and various sponsorships to benefit The Leukemia & Lymphoma Society and its local patient assistance programs. Attorney **Joyce Novotny-Prettiman** is part of the steering committee for this event.

Attorney **Vince Quatrini** was among the presenters at the tenth annual educational conference on Behavioral Health & Society in Blairsville in September. Vince spoke on navigating legal issues involving psychiatry and disability in workers' compensation cases.

## QR PERSONAL NOTES

Paralegal **P.J. Pritts** and her family participated in the American Cancer Society's Relay for Life in Mount Pleasant in July. Her team raised over \$2,500 this year.



Congratulations to client care representative **Kristie Shaffer**, who recently became engaged to Jesse Campbell of Latrobe. Kristie recently joined QR and is featured in this issue's *Meet the Staff*. Kristie and Jesse plan to tie the knot in June 2010.

Attorney **Tereasa Rerko** attended the 5th Annual Governor's Conference for Women held at the David L. Lawrence Convention Center in Pittsburgh. Over 5,000 women attended the event this year from across the state. Tereasa has attended the conference each year at each of its various locations.

Congratulations to Lydia Herrholtz, daughter of paralegal **Angela Herrholtz**, who was placed on the Character Honor Roll at R.K. Mellon Elementary School. This recognition is given to students who display cooperation, respect, honesty and responsibility. Lydia, currently in second grade, also received the award while in kindergarten.

Nicholas Hudec, a junior at Mount Pleasant Area High School, will be participating in the mock trial team this year. Nicholas is the son of legal secretary **Patricia Apone**.

Adam Quatrini, son of Attorney **Vince Quatrini**, is treasurer of his senior class at Dickinson College. He is also the president of Active Minds, a nationally sponsored student organization that highlights the realities of students who cope with mental health issues, provides resources to those students, and works to eradicate the stigma that attaches to individuals with mental health problems. This past summer, Adam studied abroad in London, England. He will graduate from college in June.

## MEET THE STAFF

### KRISTIE M. SHAFFER AND SANDRA M. YOXALL

**K**ristie Shaffer (*left*) joined QR in April 2008 as our new receptionist and client care representative. She graduated from Derry High School and earned her associate's degree in graphic design from Westmoreland County Community College. After living in Florida for two years, she returned home to be with her parents, brother, and cocker spaniel, Lilo.

Kristie's interests include walking, babysitting, camping, fishing, going to the beach and spending time with her family and her new fiancé.



**S**andy Yoxall (*right*) recently joined QR after working as a legal secretary in the downtown Pittsburgh area for the last 21 years. She and her husband, Scott, reside in North Versailles along with their son, Scott Jr., age 6, who just started first grade this year, and recently joined the Cub Scouts. They also share their home with their dog, Hooch, and their cat, Mousey. Other pets in the home include fish and frogs!

Sandy enjoys walking, shopping, going fishing, taking vacations to the beach, and spending time with her family.

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