

December 2008

**Editor-in-Chief:**  
**Rob Hovey**

### Missed an Issue?

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### Career Opportunities

Mooney & Associates is currently seeking a part-time receptionist for our New Oxford facility and a part-time high school "runner". For more information please see our Career Opportunities section of our website.

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### Our Attorneys:

- John J. Mooney III
- Judith Koper Morris
- Katrina M. Luedtke
- George W. Swartz II
- Amy E. W. Ehrhart
- Jason C. Imler
- Jeffrey R. Lawrence
- Tyann L. Miller,  
Of Counsel\*

# MOONEY LAW LETTERS

## Know What To Do Before You Are Injured On The Job

You wouldn't think that a lawyer can find a way to get hurt on the job but a few years back, I found a way. Right after I graduated law school, I was working for a firm that participated in a summer volleyball league. We competed against other firms in the area. I use the term "compete" loosely. For most of the participants, it was more of a social thing than a competitive athletic thing. But that summer, while playing volleyball, I tore a tendon in my pinky finger. My injury was minor. It prevented me from golfing the rest of that summer but I was still able to type, read, research, study, and analyze cases. While it didn't cause me to miss any work, I did require some medical attention. All of my bills were covered by workers' compensation because this injury was sustained while in the course of my employment. My experience with workers' compensation was no big deal but a lot of folks injured on the job have much worse injuries and far more physically demanding jobs than I did.

If you are ever injured on the job, it's good to have some knowledge about your rights and duties before you make important decisions. The rest of this article sets forth some basics about what you should know, and do, if you are ever injured at work.

If you are injured on the job, you should immediately report your injury to a supervisor. If nobody

is available, leave a phone message with one of these people and follow up with them the next day. You must report the work injury to your immediate supervisor unless your company has specific reporting procedures for on the job injuries.

Be sure to explain exactly how you were hurt, when you were hurt, and what body parts were hurt. Make sure to report all injuries even if the injury seems minor at the time. Sometimes small problems turn into bigger problems later and if you don't tell about the injury until later, an insurance company might not believe the injury occurred at work. Work with your employer to fill out their incident report form and get a copy of it. If your employer has no incident report form, create one of your own, supply it to your employer, and keep a copy for your records.

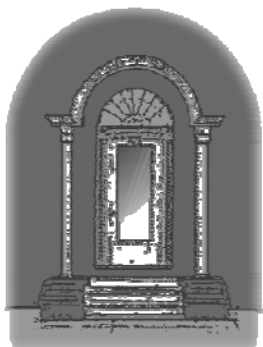
You should get medical attention as soon as possible. But before you do so, find out if your employer has a list of "Panel Doctors" that you must treat with. Unfortunately, if you just go to your family doctor you may end up having to pay those bills. If your family doctor tells you not to work but you have not been told to stay home from work by a "Panel Doctor" you are still obligated to work and workers' compensation may not pay lost wages. If your employer has a list of "Panel Doctors," you must treat

with these medical providers for at least the first 90 days. If your employer does not have a list of "Panel Doctors," you can seek treatment with a medical provider of your choice but make sure you verify there are no "Panel Doctors" before go to a doctor of your choice.

Always ask the doctor to fill out a physical capabilities form or disability note which will define your physical restrictions. Keep a copy for your records and supply one to your employer. This form notifies what physical accommodations should be made for you, whether you are capable of any work or if you have restrictions that will limit the type of work your employer may ask you to do.

If the workers' compensation insurance carrier accepts your claim and the doctor removes you completely from working for a period of time, you should begin receiving temporary disability benefits until you are able to return to work. If you receive disability benefits, you typically receive two-thirds (2/3) of your average weekly wages, although there are some exceptions to this if your gross earnings are less than a certain amount per week.

*See Injured on Page 2*



*When Your  
Future is at Stake...*

**MOONEY &  
ASSOCIATES:  
ATTORNEYS AT  
LAW**

## Holiday Hints to Save You Money

**Christmas:** Go potluck! You buy the turkey and have everyone else bring the side dishes and drinks. If you buy just the turkey, it will only cost you about \$5-\$10 to feed everyone for a large family gathering.

**Valentines Day:** If you don't have money to go out, have a picnic on the floor. Use some candles and lay a soft blanket on the floor. Put on some soft music and have a romantic Valentine's dinner on the floor. Use some white Christmas lights for additional romantic lighting.

*Info from  
[www.livingonadime.com](http://www.livingonadime.com)*

## Injured (Continued from Cover)

If your doctor allows you to return to work but with "light duty" restrictions and your employer gives you work to do within those restrictions, you must do the job or you will jeopardize your entitlement to ongoing or future lost wage benefits. While your employer has no obligation to find work for you within your restrictions, if your employer gives you a job within your restrictions that pays less than what your pre-injury job did, then the workers' compensation insurance carrier should pay you two-thirds (2/3) of the difference between your pre-

injury wage and your post-injury wage.

It is very important that you do the work given to you within your restrictions, even if you don't like it or it pays less because if you refuse to do the work (or just stop working without a doctor authorizing it) you will jeopardize your right to ongoing compensation. If you do refuse to work a light duty job offered to you that your doctor says you can do, the workers' compensation insurance company will likely take action to reduce or stop wage benefits to you alto-

gether. Understand you can't just make the decision yourself and expect an insurance company to continue paying wage benefits. You must work within the system. It is unfortunate that some folks decide that they can't work, even through a doctor says they can and the employer gives them work to do within their restrictions, and then come to us when it's too late. If you are injured on the job, don't hesitate to contact us so you know your rights before you are faced with a tough decision.

Jason C. Imler, Esq.  
[jasoniml@mooneyandassociates.com](mailto:jasoniml@mooneyandassociates.com)

## How to Help Yourself in a Divorce

If you are considering leaving your spouse or filing for a divorce, you have already realized it is a stressful and confusing period of time. For many people, the only information they may have on these subjects are comments and opinions from their friends and co-workers. Unfortunately, those well-meaning friends and co-workers may only be passing along bits and pieces of information they have heard from their friends. Other people may have read some information on these topics on the internet. Unfortunately, the internet does not provide a comprehensive individual evaluation of how the divorce laws can affect each person's unique financial situation.

Adding to the confusion is that in the state of Pennsylvania, there are several separate and distinct areas of family law including divorce, child custody, child and spousal support and protection from abuse. In many instances, these separate areas of the law overlap and may apply simultaneously to your own circumstances. To add to the confusion, each area of the law noted above has its

own set of rules of law. Without seeking competent legal advice to understand how the laws interact and apply to your own situation it is easy to feel lost and overwhelmed.

Pennsylvania is an equitable distribution state which is governed by the Divorce Code 23 Pa. C.S.A. Section 3101. If there are assets in the marriage a divorce court must consider the following factors in determining an equitable or fair resolution:

- (1) The length of the marriage.
- (2) Any prior marriage (either party).
- (3) The age, health, station, amount and sources of income, vocational skills, employability, estate, liabilities and needs of each of the parties.
- (4) The contribution by one party to the education, training or increased earning power of the other party.
- (5) The opportunity of each party for future acquisitions of capital assets and income.

(6) The sources of income of both parties, including, but not limited to, medical, retirement, insurance or other benefits.

(7) The contribution or dissipation of each party in the acquisition, preservation, depreciation or appreciation of the marital property, including the contribution of a party as homemaker.

(8) The value of the property set apart to each party.

(9) The standard of living of the parties established during the marriage.

(10) The economic circumstances of each party at the time the division of property is to become effective.

(10.1) The Federal, State and local tax ramifications associated with each asset to be divided, distributed or assigned, which ramifications need not be immediate and certain.

(10.2) The expense of sale, transfer or liquidation associated

*See Divorce on Page 3*

**Divorce (Continued from Page 2)**



with a particular asset, which expense need not be immediate and certain.

(11) Whether the party will be serving as the custodian of any dependent minor children.

If you are considering a divorce the most important thing you can do to prepare is to collect financial information. The information which will be important to obtain includes:

(1) Copies of your tax returns for the past three years (business and personal)

(2) Current statements of 401k plans, IRA's or pension plans

(3) Current checking and or savings account statements

(4) Current statements for the balances of mortgages or home equity loans

(5) Current blue book values for any vehicles owned. (www.kbb.com)

(6) Current statements for any investments (stocks, savings, bonds, etc.)

(7) A list of personal property remaining in the home

(8) Most recent social security statement

(9) Current statements for credit card bills or other loans

It is also important that you consult with a competent divorce attorney who can advise you as to

the best way to proceed. A divorce attorney will also advise you concerning the relationship of the other areas of the law which may be relevant to your situation such as child or spousal support. If you have obtained some or all of the information listed above you will be more informed and prepared for a consultation with a divorce attorney and the consultation will be more productive and informative.

Katrina M. Luedtke, Esq.

katrinaluedtke@mooneyandassociates.com

**A Holiday Favorite: Holiday Casserole**

**Ingredients:**

- Peeled apples (4 or 5 to fill casserole dish)
- 1 sm. can crushed pineapple (slightly drained)
- 1/4 cup red cinnamon candies
- 2 tablespoons flour

**Crumb Topping:**

- 3/4 cup flour
- 3/4 cup sugar
- 5 tablespoons melted butter

**Directions:**

Mix ingredients together in casserole dish. Blend crumb

topping ingredients together with a fork and spread over top of the casserole. Bake at 350° for 30 to 45 minutes or until crumbs lightly brown (usually 45 minutes to one hour).

**Let the Church Bells Ring!**

Christine Marie Smith, the receptionist and legal librarian at our Hanover office, was married on August 30, 2008 to her fiancé, Gregory Richard Shaffer, who is employed at Schmuck Lumber Company. The wedding was held at Black Rock Church of the Brethren, Glenville. Pastor David W. Miller officiated. Christine's Matron of Honor was her sister,

Lucy A. Smiley, of Spring Grove. Greg's best man was his father, Dick Shaffer of Spring Grove. The reception was held at Bay City in Hanover. Christine and Greg took their honeymoon in Virginia Beach, Virginia. Mooney & Associates would like to congratulate them both and wish them many happy years to come.



*Our Pledge*

*to You:*

*Knowledge, Experience  
& Commitment,  
Personal Service,  
Solutions & Success,  
and Affordable  
Representation.*

**Our Staff:**

Lisa Baublitz: lisabaublitz@mooneyandassociates.com

Janice Brady: janicebrady@mooneyandassociates.com

Michele Candy: michelecandy@mooneyandassociates.com

Judith Forry: judithforry@mooneyandassociates.com

Rob Hovey: roberthovey@mooneyandassociates.com

Caren Kubovcsak: carenkubovcsak@mooneyandassociates.com

Angela Mohan: angelamohan@mooneyandassociates.com

Pam Rockwell: pamrockwell@mooneyandassociates.com

Christine Shaffer: christineshaffer@mooneyandassociates.com

Karen Tregoning: karentregoning@mooneyandassociates.com

Wanda Walter: wandawalter@mooneyandassociates.com



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**MOONEY & ASSOCIATES  
ATTORNEYS AT LAW**

230 York Street  
Hanover, PA 17331  
Phone: 717-632-4656

115 Carlisle Street  
New Oxford, PA 17350  
Phone: 717-624-7054

40 East Philadelphia Street  
York, PA 17401  
Phone: 717-846-4722

1116 Kennebec Drive  
Chambersburg, PA 17201  
Phone: 717-263-9215

5900 Ft. Loudon Road  
Mercersburg, PA 17236  
Phone: 717-328-5217

**Call Toll Free!**  
877-632-4656



Lisa A. Baublitz,  
Real Estate Paralegal

Email: [info@mooneyandassociates.com](mailto:info@mooneyandassociates.com)

**Monday—Friday 8:00 a.m.—7:00 p.m.**

**Walk-in Evening Hours: Mon, Tues, Wed, Fri 5pm-7pm (Hanover Office)**

**Thurs 5pm-7pm (New Oxford Office)**

**Mon 5:30pm-7:30pm (Chambersburg Office)**

**No Appointment needed for Walk-in Evening Hours**

**Initial Evening Office Visit—Only \$35.00**

**Evening & Weekend Appointments Available**

**¡Se Habla Español!**

**A New Addition To Our Staff!**

Lisa joined Mooney & Associates in July of 2008. At Mooney and Associates she obtains the payoffs, tax information, and other documentation necessary to prepare and process closing packages. She handles correspondence between all parties involved and prepares the checks for disbursement at closing. Lisa assists in Estate and document preparation as well. She handles correspondence to and from the client, gathering necessary information.

Lisa graduated from Villa Julie College in 1995 with an Associates Degree in Paralegal Studies and in 1997 from Villa Julie College with a Bachelors Degree in Pre-

Law and was subsequently inducted into the National Honor Society. During college she worked as a paralegal with Shapiro and Associates in Towson, Maryland for their Real Estate Department as well as in Corporate and Domestic Cases. She has worked in the Land Records Office of Carroll County, Maryland, and for Lennar Corporation in their Westminster, Maryland office, handling Real Estate and corporate transactions. Lisa enjoys car shows and working in her father's garage. She loves Corvettes and competes in Auto X. Lisa also enjoys going for long walks with her dogs and having fun at the beach.

**Mooney & Associates Welcomes Attorney Jeffrey R. Lawrence**



Jeffrey R. Lawrence, Esq.

Our newest associate is Jeffrey R. Lawrence. Before attending law school, Attorney Lawrence owned and operated a restaurant in Colorado for several years. Ownership of this small business provided him with excellent real-world first hand experience in the basics of contract law and small business formation. During law school Attorney Lawrence gained practical legal experience by participating in the Elder Law and Consumer Protection Clinics. Attorney Lawrence also served as a law clerk for Pennsylvania Su-

preme Court Justice J. Michael Eakin. Attorney Lawrence graduated from Pennsylvania State University Dickinson School of Law in June 2008 and became a member of the Pennsylvania Bar Association in October 2008.

Attorney Lawrence is married to Kate who is the Director of Public Interest Programming for the Dickinson School of Law and is

also a clinical teacher with the Law School's Children's Advocacy Clinic. Attorney Lawrence's interests lie in music. He performs in two local musical groups that play an array of music from classic rock to blues and swing. We look forward to utilizing Attorney Lawrence's skills and experience to further assist our clients.

**More info on the web!**  
[www.mooney4injured.com](http://www.mooney4injured.com)  
[www.mooney4law.com](http://www.mooney4law.com)  
**Email your attorney direct!**