

## An Important Message From Lenahan & Dempsey About Your Auto Insurance

By: Attorney Timothy G. Lenahan



### **ALWAYS CHOOSE THE FULL TORT INSURANCE OPTION**

Many people shop around for a better deal on car insurance. Few, however, take the time to understand the most important choice we can make when it comes to car insurance - [Choosing Full Tort Coverage](#).

### **FULL vs. LIMITED TORT**

In Pennsylvania, all motorists must choose between Full Tort Coverage and Limited Tort Coverage. Unfortunately, other than providing a pre-printed form, rarely do insurance companies take the time to explain the significant difference between the two choices. Rather, they simply point out that Limited Tort costs less. People who choose Limited Tort, without understanding the consequences, can cause devastating financial pain for themselves and their families.

### **LIMITED TORT LIMITS YOUR RIGHTS**

Choosing Limited Tort restricts your ability to recover damages if you get hurt in an auto accident. Those who choose the Limited Tort option give up the ability to recover money damages for pain and suffering following an auto accident, except in limited circumstances. Those damages can be very substantial depending on the severity of your injuries.

Choosing the Limited Tort option not only affects you, but also members of your family who live with you - including your children - because selection of Limited Tort also limits their rights to recover pain and suffering damages if they have a crash.

For the sake of yourself and your family, never choose Limited Tort. [Limited Tort Limits Your Rights](#).

### **FULL TORT**

Deciding which option to choose in these tough economic times is difficult. Choosing Full Tort may cost a little more. However, should the unfortunate happen, you want you and your family to be fully protected by always choosing [Full Tort](#).

If you have been seriously injured in any type of accident, call us at 1-800-LENAHAN (1-800-536-2426). We will treat you and your case with the seriousness and dedication you deserve.

Timothy Lenahan

*To learn more about Attorney Timothy Lenahan, please [click here](#).*

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## School Bus Safety Tips

Now that school is back in session it's time for every parent to review these school bus safety tips provided by the U.S. Department of Transportation:

- Get to the bus stop at least five minutes before the bus is scheduled to arrive.
  - When the bus approaches, stand at least three giant steps (6 feet) away from the curb, and line up away from the street.
  - Wait until the bus stops, the door opens, and the driver says that it's okay before stepping onto the bus.
  - If you have to cross the street in front of the bus, walk on the sidewalk or along the side of the road to a point at least five giant steps (10 feet) ahead of the bus before you cross. Be sure that the bus driver can see you, and you can see the bus driver.
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- Use the handrails to avoid falls. When exiting the bus, be careful that clothing with drawstrings, and book bags with straps don't get caught in the handrails or doors.
  - Never walk behind the bus.
  - Walk at least three giant steps away from the side of the bus.
  - If you drop something near the bus, tell the bus driver. Never try to pick it up because the driver may not be able to see you.
  - Parents should supervise their young children at the bus stop.

## BACK TO SCHOOL: Is Your Child Being Bullied?

By: Attorney Michael A. Dempsey



Attorney Michael A. Dempsey

Currently, the most controversial issue facing parents and students heading back to school is bullying and the legal ramifications of a School District's failure to address it. Unfortunately, most parents are unaware of the School District's legal responsibility to the student and the proper way to communicate with it about a bullying situation. Should your child be facing this problem, there are certain guidelines that are extremely important to follow.

### The Law

In 2008, Pennsylvania enacted a law requiring School Districts to adopt or amend an existing policy in the school code of conduct regarding bullying. This policy must be available on its publicly accessible website and in every classroom. It should contain specific information such as prevention and disciplinary procedures that you, as parents, should read carefully.

Generally, a School District does not have an affirmative duty to protect students from other students. However, a School District has a responsibility to prevent bullying about which it knows or reasonably should have known. Once the School District is put on notice regarding a bullying incident, it must take immediate action to investigate the claim and take appropriate measures to ensure that it does not happen in the future. Appropriate measures could include discipline, counseling, separation, employee training, etc. Should the School District fail to take any remedial action and/or disciplinary action, they may be in violation of federally protected rights.

### Communicating With the School District

If you find yourself in a situation where your child is being bullied, there is a proper way to communicate with the School District, which should be addressed in its bullying policy. It is extremely important to communicate with the School District verbally as well as following up the conversation by writing a letter or e-mail. The reason for this type of communication is that it creates a written record of exactly what occurred and when. Should the need arise to make a phone call or an in-person visit to the School District due to the urgency of the matter, always follow-up with a letter/e-mail summarizing the conversation.

In the event the school official is not responsive, contact the Superintendent and ultimately the School Board until your concerns are addressed. When contacting the school district about your child being bullied, emotions can run high, understandably. However, most school districts will be more than willing to work with parents to ensure the safety of their students. Always communicate with the School District in a positive and polite manner so that you and the school district can work together to correct the problem.

If your child has been injured in a school related incident, call us at 1-888-536-2426.

FEATURED  
CASE

## Lenahan & Dempsey Wins Important State Supreme Court Ruling



Attorney George E. Mehalchick

### PA Supreme Court Issues Ruling In Favor Of Injured Employee\*

The Pennsylvania Supreme Court has issued a ruling in favor of an injured employee. The case was argued before the high court by Attorney George Mehalchick of Lenahan & Dempsey. It involved an employee's notification to her employer that she had been injured on the job.

The employee twice told her supervisor that she was having pain in her arms and hands; she left a voice mail for her employer about her problem. Nevertheless, the employer denied her Workers' Compensation claim saying that she never provided a proper legal description of a work injury.

The Pennsylvania Supreme Court agreed with the arguments by Lenahan & Dempsey that, based upon the totality of circumstances, the employer had proper notice of a work injury and that the employee was entitled to workers' compensation benefits which had previously been denied her for two years. She will now receive these retroactive benefits as well as ongoing weekly compensation benefits.

In a concurring opinion, two of the Supreme Court Justices called the employer to task stating that the decision by corporate management to challenge the claim of an employee who had loyally served the employer for forty-five years based upon hypertechnical issues was a "troubling example of...inappropriate corporate conduct.... Rather than acknowledging the undisputed genesis of her injuries and paying her the due compensation, [the employer] opted to pursue a technical defense in the hope of avoiding its rightful obligations."

"This ruling is important because it emphasizes the importance of fair treatment for employees; it is also a ruling that is all about common sense," said George Mehalchick. "I'm proud to have had a role in a case that comes down squarely on the side of a Pennsylvania worker."

This is Lenahan & Dempsey's second successful case before the high court this year.

Lenahan & Dempsey is home to three lawyers named to Best Lawyers in America as well as eight named as Pennsylvania Super Lawyers in Philadelphia Magazine. The firm is also named in Best Law Firms in the United States by Newsweek Magazine. Lenahan & Dempsey maintains offices throughout Northeast and Central Pennsylvania as well as online presence at [www.LenahanDempsey.com](http://www.LenahanDempsey.com).

\* The facts of each case described herein are different. No specific results are implied. Descriptions of awards in previous cases are no guarantee of future results and should not create any expectations that our firm, or any firm, can achieve similar results in another case. Selection criteria for Best Lawyers® and Super Lawyers® can be found at [www.LenahanDempsey.com](http://www.LenahanDempsey.com). Principal office is in Scranton, Lackawanna County, Pennsylvania. This newsletter, our website and all advertising materials are not intended to provide legal advice. Please call 1-888-LENAHAN with any questions.



Visit us online and see what we have done for other seriously injured clients.

Call us and find out what we can do for you.

LENAHAN & DEMPSEY REPRESENTATIVE  
VERDICTS AND SETTLEMENTS\*



\$ 15,000,000.00	Verdict	Medical Negligence
\$ 13,600,000.00	Settlement	Insurance Bad Faith
\$ 6,775,000.00	Verdict	Motor Vehicle Collision
\$ 5,000,000.00	Settlement	Mistreatment of Disabled Children
\$ 4,601,387.00	Settlement	Insurance Bad Faith
\$ 4,500,000.00	Settlement	Work Place Injury
\$ 4,350,000.00	Settlement	Motor Vehicle Collision
\$ 3,078,825.00	Verdict	Insurance Bad Faith
\$ 2,700,000.00	Verdict	Motor Vehicle Collision
\$ 2,600,000.00	Settlement	Motor Vehicle Collision
\$ 2,520,809.00	Settlement	Motor Vehicle Collision
\$ 2,500,000.00	Verdict	Motor Vehicle Collision
\$ 1,700,000.00	Settlement	Motor Vehicle Collision
\$ 1,625,000.00	Settlement	Motor Vehicle Collision
\$ 1,600,000.00	Verdict	Medical Negligence
\$ 1,460,000.00	Settlement	Pedestrian Injury
\$ 1,350,000.00	Settlement	Pedestrian Injury
\$ 1,200,000.00	Verdict	Medical Negligence
\$ 1,130,000.00	Settlement	Work Place Injury
\$ 1,000,000.00	Settlement	Motor Vehicle Collision
\$ 1,000,000.00	Verdict	Personal Property
\$ 1,000,000.00	Settlement	Motor Vehicle Collision

\* The facts of each case are different. No specific results are implied. Descriptions of awards in previous cases are no guarantee of future results and should not create any expectations that our firm, or any firm, can achieve similar results in another case.

## Lenahan & Dempsey Offices

We maintain offices throughout Northeast, Central Pennsylvania and The Poconos to serve our clients. We also offer home, hospital and nursing home consultations.

### Scranton Office:

The Lenahan & Dempsey  
Professional Building  
116 North Washington Avenue  
Suite 400  
Scranton, PA 18503

Phone: (570) 346-2097

### New Stroudsburg Office:

The Pocono Mountain Region  
616 Main Street  
Stroudsburg, PA 18360

Phone: (570) 421-7190

### Wilkes-Barre Office:

The Courthouse Square Towers Building  
Suite 410  
216 North River Street  
Wilkes-Barre, PA 18702

Phone: (570) 822-1000

### Berwick Office:

106 West Front Street  
Berwick, PA 18603

Phone: (570) 752-5915

1-888-LENAHAN

To visit Lenahan & Dempsey, [CLICK HERE](#).