



**CHARLES D. HANKEY LAW OFFICE P.C.**

WITH 80 YEARS OF COMBINED EXPERIENCE, BOTH IN AND OUT OF THE COURTROOM, THE LEGAL PROFESSIONALS OF THE CHARLES D. HANKEY LAW OFFICE CAN RESOLVE CASES INVOLVING:

- PERSONAL INJURY
- AIRPLANE ACCIDENTS
- DOG BITES/ANIMAL ATTACKS
- CAR ACCIDENTS
- HIGHWAY DEFECTS
- CHILD INJURIES
- TRUCK ACCIDENTS
- WORKERS' COMPENSATION
- CONSTRUCTION ACCIDENTS
- MOTORCYCLE ACCIDENTS
- PREMISES LIABILITY
- BURN INJURIES
- BICYCLE ACCIDENTS
- PRODUCT LIABILITY
- DROWNING
- RAILROAD CROSSING/  
TRAIN ACCIDENTS
- BRAIN/HEAD INJURIES
- SPINAL INJURIES

CHARLES D. HANKEY  
MELISSA A. DAVIDSON  
STACY J. CRIDER

SONDRA L. BURGER  
JAMES M. DUBACH  
ASHLEY D. MARKS  
KIRSTEN E. WOLD

EDITOR: MEGAN CAIN

434 EAST NEW YORK STREET  
INDIANAPOLIS, IN 46202

OFFICE: 317-634-8565  
TOLL FREE: 800-520-3633  
FAX: 317-634-9818  
WWW.HANKEYLAW.COM



Experience. Compassion. Justice.

JULY/AUG 2013  
VOLUME 6 ISSUE 4

# Legal Insider



**EMPLOYEE SPOTLIGHT: BETH**

We would like to introduce you to Beth, a new case administrator at the Hankey Law Office. She is an Indianapolis native and one of four children. She graduated from Lawrence Central High School in 1999 and went to the University of Tennessee at Martin. She majored in psychology and has a business management minor. She enjoys history, reading, movies and critical thinking.



**FROM THE DESK OF CHARLES D. HANKEY  
Make-A-Wish Gives Sick Children  
the Chance to Be a Kid**

Facing a life-threatening illness is devastating at any age. But, when the one diagnosed is just a child, it's truly heartbreaking. Childhood should be a time for playing, learning and fun, not hospital stays and painful medical procedures.



The Hankey Law Office was proud to support the 8th Annual Make-A-Wish Walk for Wishes on July 13. Event participants collected pledges and walked either one or three miles around Fort Harrison State Park, raising money to help grant the wishes of children facing life-threatening illnesses.

This year's Honorary Wish Child was 4-year-old Malakai, who kicked off the walk with his family. Malakai is fighting liver disease and had his wish granted to go to several of Florida theme parks where he met his favorite characters.



Our office was able to sponsor walkers as well as a water stop, where team members handed out water to event participants. And, we were pleased to be able to present a check for \$500 to Walk for Wishes in support of Make-A-Wish.

Make-A-Wish is celebrating its 30th anniversary and the Ohio/Kentucky/Indiana chapter fulfilled 865 wishes last year – more than any chapter in the nonprofit's history. Currently, more than 250 children in Indiana are waiting for their wish to come true. Learn more and lend a hand by visiting [makeawishindiana.org](http://makeawishindiana.org).

**Elevators That Cause Injuries**

By Attorney Melissa A. Davidson



An elevator is a complex piece of machinery. Due to its complexity, it can malfunction in many different ways. They can mislevel at the floor, causing a tripping hazard. They can move up or down while the rider tries to exit. The doors can shut unexpectedly, causing injury to an unsuspecting rider. It can stop between floors, trapping riders for long periods of time. The gap between the elevator and the floor can be too wide, ensnaring body parts and shoes that may slip into the gap. The list goes on and on.

Injuries from a malfunctioning elevator often require help from an attorney who has experience with the rules and regulations regarding elevator function. An elevator expert can also be crucial to understanding how the malfunction occurred. The elevator expert can inspect the elevator car, the shaft and the mechanics to determine what caused the problem and whether it could have been prevented. Close analysis of the elevator maintenance records is vital to determine if the elevator was properly maintained and inspected.

Last year, a state court judge threw out one of our elevator cases, stating that the expert testimony was not based on sound facts and logic. We appealed the judge's dismissal to the Indiana Court of Appeals. Recently, the appeals court ruled in our favor and remanded the case back to state court. The Indiana Court of Appeals determined that we had the right to have our expert

*(continued on page 2)*

The contents of this newsletter do not constitute legal advice. Every case is different and must be judged on its own merits. Past results afford no guarantee of future results.

**In This Issue:**

pg. 1	Make-A-Wish Gives Sick Childrent Hope
pg. 1	Elevators That Cause Injures
pg. 2	Employment Discrimination
pg. 2	Swimming Pool Safety for Parents
pg. 2	Recipe: Chipotle Chicken Fajitas
pg. 3	Hankey Staffer Studies Abroad in China
pg. 3	Clip & Save: Helpful Contacts
pg. 4	Welcome New Case Administrator Beth



Toll Free: 800-520-3633 | Phone: 317-634-8565 | Fax: 317-634-9818  
WWW.HANKEYLAW.COM

434 E. NEW YORK STREET  
INDIANAPOLIS, INDIANA 46202

**CHARLES D. HANKEY LAW OFFICE P.C.**

## EMPLOYMENT DISCRIMINATION

By Attorney Ashley Marks



You may have heard that Indiana is an “at will” employment state, but what does this mean to you? This means that employers in Indiana have a lot of power in making employment related decisions. For example, an employer may make a decision regarding your employment status that seems unfair, yet the decision is still legal.

However, employers are not allowed to make employment decisions based on discriminatory motives. An individual can be discriminated against at all points along the employment process (not being hired, not given a promotion, being fired, etc.). There are federal and state laws that make it illegal for employers with 15 or more employees to discriminate against, or harass, an employee or job applicant based on the individual’s:

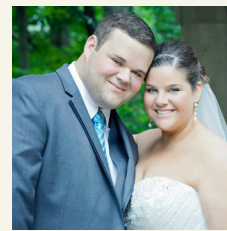
- Race
- Color
- Religion
- Sex (includes pregnancy)
- National Origin
- Age (40 or older)
- Disability
- Retaliation (for making a claim of discrimination)

Each of these types of discrimination will be explored in more depth in future issues of our newsletter.

Please note, there are very strict deadlines to file a discrimination claim in order to protect any potential rights you may have. If you or a loved one believe that you were discriminated against in the workplace, please contact our office for a free consultation.

## HANKEY STAFFER TIES THE KNOT

Congratulations to Megan Cotton and her new husband Brandon Cain! The two were married on May 25 in Bloomington, Ind. We wish them many happy years together!



## RECIPE: CHIPOTLE CHICKEN FAJITAS

### Ingredients:

- 1 bottle (12 ounces) chili sauce
- 1/4 cup lime juice
- 4 chipotle peppers in adobo sauce
- 1 pound boneless chicken breasts, cut into strips
- 1/2 cup cider vinegar
- 1/3 cup packed brown sugar
- 1/3 cup molasses
- 4 green peppers, cut in 1-in. pieces
- 1 large onion, cut in 1-in. pieces
- 1 tablespoon olive oil
- 1/8 teaspoon salt
- 1/8 teaspoon pepper
- 10 flour tortillas (8 inches)
- 1-1/2 cups chopped tomatoes
- 1 cup (4 ounces) shredded Mexican cheese blend

### Instructions:

Place the chili sauce, lime juice and chipotle peppers in a food processor; cover and process until blended. Transfer 1/2 cup to a large resealable plastic bag; add chicken. Seal bag and turn to coat; refrigerate for 1-4 hours. Pour remaining marinade into a small bowl; add the vinegar, brown sugar and molasses. Cover and refrigerate. On six metal or soaked wooden skewers, alternately thread chicken and vegetables. Brush with oil; sprinkle with salt and pepper. Grill, covered, over medium heat for 10-16 minutes or until a thermometer reads 170°, turning occasionally. Unskewer chicken and vegetables into a large bowl; add 1/2 cup chipotle-molasses mixture and toss to coat. Keep warm. Grill tortillas, uncovered, over medium heat for 45-55 seconds on each side or until warmed. Top with chicken mixture, tomatoes, cheese and remaining chipotle-molasses mixture.



## SWIMMING POOLS: THE SILENT KILLER OF SMALL CHILDREN

By Attorney Jim DuBach



Death by drowning is the leading cause of injury related death of children one to four years of age. That terrible statistic is one that every parent of a small child should keep in mind each time they allow their child to swim. Unfortunately, most parents are not aware of key factors that could prevent the tragic loss of a child. For instance:

1. Most people think that a drowning person will scream and make an obvious struggle in the water. That is false. Small children most often drown silently, without any struggle at all.
2. People expect a drowning child to be in a vertical position, when in fact children most often drown in a horizontal position, face-down, and look as if they are playing in the water.
3. Popular games in which children hold their breath or dive for objects are very dangerous and should not be allowed. These games lead to black-outs and silent drowning deaths.
4. “You gotta get wet!” Parental supervision at the poolside often times will not save a child. Parents and caretakers must be in the water with the child AND be within arm’s length.
5. A child can drown in as little as 90 seconds!

Please keep these important facts in mind when you take your child or grandchild to the pool.

## Elevators That Injure... (continued from page 1)

testimony heard by the jury. The Appellate Judges found that our elevator expert’s testimony was based on solid facts and information.

The Court of Appeals also found that the theory of res ipsa loquitur could apply to the case. This means that the jury will be allowed to infer that negligence occurred based upon the surrounding facts and circumstances of the injury. In other words, circumstantial evidence can be used to prove that the elevator owner and maintenance company was negligent. We are very excited to see the fruits of our hard work!

## STAFF MEMBER STUDIES LAW ABROAD IN CHINA

By Sharon Roberts

In May and June, I had an opportunity to study abroad in Beijing, China for a month. It was a very interesting and rewarding experience. It was fascinating to learn about Chinese law compared to ours here in the United States.

The Chinese legal system is still developing and evolving. Their modern legal system is only a little over thirty years old and they are very interested in observing and learning from legal systems in the U.S. and Europe. Most of the Chinese people I met were friendly, open, and very curious about the U.S. and our society, culture, and way of life.

While I was there, we had classes every morning and most afternoons we had either an educational field trip or class. On one of the field trips, we had the great honor of visiting the National People’s Congress, which is something foreigners rarely get to see. Unlike the United States Congress in Washington, D.C., the National People’s Congress is not open to the public and very few Chinese ever get to visit it.



On another field trip, we watched a civil trial in a local court, with interpretation provided. On the weekends, we had cultural field trips to places like the Great Wall, the Forbidden City, the Summer Palace, and the Temple of Heaven. We had one free weekend and, over that weekend, a group of us took a high speed train to Xi’an to see the Terra Cotta Warriors and met up with a student from Xi’an who studied at Indiana University’s School of Law for a time. It was a great experience having him show us around his hometown.

One of the most valuable experiences I had there was an opportunity to speak at the 4th Annual International Forum for Law Students. This forum is an opportunity for law students from around the world to get together and express their views on legal education generally and international legal education specifically. I prepared and delivered a fifteen minute speech and listened to a number of other students from Switzerland, Australia, Japan, South Africa, Brazil, China, and the United States. They all delivered extremely fascinating presentations.

Overall, it was a wonderful experience, and I’m grateful to the Hankey Law Office for giving me the time off and to my coworkers for helping my clients while I was gone.

## IN BABY NEWS...

Hankey Law attorney Stacy Crider is a proud new mom! Samuel, her adorable son pictured here, was born on May 8 and weighed in at 8.01 pounds.



Welcome to the world Sam!

## CLIP & SAVE: Helpful Contacts

### Charles D. Hankey Law Office P.C.

Lockerbie Square, 434 East New York Street, Indianapolis, IN 46202  
Office: 317-634-8565 | Toll Free: 800-520-3633 | Fax: 317-634-9818  
www.hankeylaw.com

### Contact us if:

- You moved to a new address or changed your phone number
- You received a denial letter
- You went to see a new doctor
- You have been admitted to the hospital
- Your doctor has diagnosed you with a new medical condition
- You had a new test/MRI/X-ray

### Additional Resources

Information Referral Network – 317-926-HELP  
Crisis Line – 317-251-7575

Center Township Trustees (can assist with rent, utilities, takes applications for Food Stamps, TANF, and Medicaid)  
863 Massachusetts Avenue – 317-633-3610

**Healthy Indiana Plan:** low cost insurance for Indiana Families – 877-438-4479 | www.hip.in.gov

**RX for Indiana:** assistance with prescription drug cost – 877-793-0765 | www.rxforIndiana.org

**Advantage Program:** health care program for uninsured, low-income Marion County residents – 317-221-2000 | www.hhcorp.org/adv.htm

**Div. of Disability & Rehabilitative Services (DDRS)** – 800-545-7763  
www.in.gov/fssa/ddrs/4938.htm

**Damien Center:** help for those afflicted by HIV/AIDS – 317-632-0123 | 800-213-1163 | www.damien.org

**Indiana Free Clinic Information:** low cost or free health care for low-income or uninsured – www.freeclinicdirectory.org/indiana\_care.html

### Housing Help:

Indianapolis Resource Center for Independent Living – 317-926-1660  
Colonial Park (chronic homeless program) – 317-353-6784  
Indianapolis Public Housing Agency (section 8) – 317-261-7200  
Barton Center (sleeping rooms - \$278, 2 bedrooms \$500-613) – 317-423-2575

You can apply for Social Security disability benefits by calling 1-800-772-1213, online at www.ssa.gov, or in person at your local office

### Indianapolis Area Local Social Security Office Addresses\*:

**West Side:** 6745 Network Place – 866-218-2309

**Downtown:** 575 N. Pennsylvania, Suite 685 – 866-931-7057

**East Side:** 5515 N. Post Rd. – 866-220-7899

\*If you live outside of the Indianapolis area, please ask a Case Administrator for the address and phone number to your local social security office.

