



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
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- BICYCLE ACCIDENTS
- PRODUCT LIABILITY
- DROWNING
- RAILROAD CROSSING/
TRAIN ACCIDENTS
- BRAIN/HEAD INJURIES
- SPINAL INJURIES

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SUMMER 2011
 VOLUME 4 ISSUE 4

Legal Insider



EMPLOYEE SPOTLIGHT: Lesley DuBach

Hello everyone! I hope to have the opportunity to meet you sometime in one of our new office locations, Suite 100 at 429 E. Vermont St. After graduating from Indiana University, I attended Roosevelt University in Chicago where I received my paralegal certification. I enjoyed working for two of Chicago's law firms before returning to my home, Indianapolis. I have the pleasure of being mother to three lovely daughters, and of being married for 31 years to one of our fine attorneys, James M. DuBach. So, as a family and as a team, we're here to serve you!



FROM THE DESK OF CHARLES D. HANKEY
NEW RULES FOR CASES AT THE APPEALS COUNCIL

Social Security recently changed their rules for what can happen after you are denied by a judge. Previously, when a client was denied, there were three options. It could be appealed to the Appeals Council, you could start a new case, or both. Often, we would advise clients to do both.

Beginning July 28, Social Security's rules have changed. You can no longer start a new case when you have appealed a case to the Appeals Council. Now we must choose between appealing the denial or having you start a new claim.

This is a difficult choice to make. If your conditions have gotten worse between the time you applied and the time you were denied at your hearing, the judge may have denied you based on medical records from when you first applied and, as your condition gets worse, the Appeals Council won't consider anything that happened after the hearing. This is where a new case could be helpful, as a new case would look at your worsened condition. However, choosing to forgo the Appeals Council and start a new case would cause you to lose any chance at the backpay from when you applied until the judge's denial, which could be 2-3 years worth of money. In some instances, it could even cause you to not be eligible for SSD at all, due to the length of time since you last worked.

If you already have a case at the Appeals Council and a new claim that you filed before July 28, Social Security will continue to process both claims. If we appealed your case to the Appeals Council and advised you to start a new claim but you have not yet done so, don't file one now. If you are denied by a judge in the future, be assured that we will take a very careful look at your denial, your condition, your work history, and the new rules and advise you on if we feel it's best for you to appeal or not. If we choose not to appeal your denial and instead advise you to file a new claim, and you are upset by that or don't understand why, feel free to contact us and we will help you understand our decision and how this new law impacts you.

BETTER BUDGETING ON A FIXED INCOME

By Hankey Law Staff

There never seems to be enough money. But, if you're on a fixed income from social security disability or other settlement, it's even tougher to make ends meet.

Creating a monthly budget is critical to living within your means and eliminating debt. It's also a great way to reduce the stress caused by running out of money before month's end. Here are some quick tips to help you make your own budget:



1) Make a list of each one of your monthly expenses.
 Once you have a list of all your expenses, compare them against the money you can count on coming in each month. If you're spending more than you get each month, see where you can cut expenses. For example, you might cut some premium cable channels or rent a movie instead of going to the cinema. Make family meals instead of getting take-out. And, conserve electricity by shutting off lights when not in use. It may surprise you how much these simple steps can save.

2) Track every expense down to the dollar.
 Get in the habit of writing down all purchases. You might even want to get a notebook where you can record every dollar spent. When you look back on the month, you'll truly see where all your money is going and you'll find that you're less likely to spend

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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.

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SENDING YOUR CHILD WITH A DISABILITY BACK TO SCHOOL: TIPS FOR PARENTS

By Hankey Law Staff

If your child has a physical or learning disability, it's important to be prepared when sending them back to school. There are resources available through the state and the public school system. But, you will often need to be proactive to find them and sometimes fight for the right to use them. Here are some steps to help you advocate for your child:

1. Know the law. Learn about laws such as the federal Individuals with Disabilities Education Act (IDEA) and state laws about which agencies will provide which services for your child. The legal jargon may seem overwhelming at first but the school district or state's department of education can be a great resource.
2. Understand the process. Don't be rushed without all the facts. Get all your questions answered before you commit to an approach for your child's treatment. Don't assume that the school district knows what's best for your child.
3. Meet others like you. There are thousands of other parents who have gone through what you are now going through and quite a few of them join support networks to meet others and share their experiences. Many of these groups have websites with a wealth of information and many even offer advocacy classes for parents.
4. Speak up. You will get lots of advice from experts about treatment for your child. That advice may be confusing or even conflict with your own opinions. Remember, though, that your questions and

concerns are important so make sure you're clearly heard. After all, you know your child better than anyone else.

5. Get it in writing. Every child in public schools that needs special education must have an Individualized Education Plan (IEP). The IEP details the specific teaching approach that will be taken and therapy recommendations for the child. It should also discuss goals so the child's progress can be accurately measured. Know what's in your child's IEP and what is not. If there's something you think is needed, such as a therapy, that's not in there, odds are it won't happen. Be sure to point out key omissions to school officials right away and share that written IEP with your legal team at our office.
6. Make your child's teachers aware if you're trying for SSI for the child and, as the hearing approaches, ask the teacher to write a statement about how the child's disability impacts their performance so we can send it to the judge. You should also let us know if the teacher is willing to fill out the forms.
7. If you have not looked into SSI benefits for your child, contact us for a free evaluation to see if your child has a potential claim for SSI.



RECIPE: SOUR CREAM COFFEE CAKE

By: Lesley DuBach

Ingredients:

FOR THE CAKE

- 1 cup butter at room temperature
- 3 cups sugar
- 6 eggs
- ¼ teaspoon salt
- ¼ teaspoon baking soda
- 3 cups flour
- 1 cup sour cream
- 1 teaspoon vanilla



FOR THE TOPPING

- 2 cups chopped pecans, or walnuts
- 8 tablespoons dark brown sugar
- 4 teaspoons ground cinnamon

Instructions:

Cream the butter and sugar. Add eggs, one at a time, beating well after each addition. Sift salt, soda and flour together 3 times. Alternatively add sour cream and flour mixture, ending with flour mixture. Add vanilla. Grease flour a tube pan. Mix topping ingredients and sprinkle a small amount on the bottom of the pan; add ½ of the batter. Sprinkle on more topping and rest of batter. Then, sprinkle on the remaining topping. Bake at 300 degrees for 1-1/2 hours. Do not open oven door for the first hour of baking.

I have made this coffee cake many times. It's a family favorite and, if needed, can be made ahead of time and frozen. Completely cool after baking then wrap in foil and freeze. Either right out of the oven or for a later date, it's great every time!

PLEASE ACCEPT OUR APOLOGIES

From the Hankey Law Staff

As many of you are by now aware, we have been having technical difficulties with our computer system.



We would like to extend a heartfelt apology to everyone who has been inconvenienced by these difficulties. During this time, we have not been able to return your calls as promptly as we would wish.

Be assured we have been working very hard to rectify the situation. Please feel free to call our office to confirm we have all of your most updated information.

With heartfelt thanks for your referrals!

Please feel free to pass this newsletter on to relatives, friends, and neighbors. Thank you!

DON'T TAKE CHANCES WITH KID'S CAR SEATS

By Attorney Sondra Burger



Strapping one's child into the car seat is a regular task for most parents. Unfortunately, even very small children are able to unbuckle themselves, leading to distracted parents behind the wheel and car accidents.

Researchers at the Yale School of Medicine surveyed 378 parents. Slightly over half reported that at least one of their children had successfully unbuckled their seatbelts while in a car seat one or more times. Children as young as 12 months were able to extricate themselves, and 75% of the kids were 3 years old or younger. Boys were more likely than girls to unbuckle themselves (59% of boys, as opposed to 42% of girls).

More than 40% of kids who "freed" themselves did so while the vehicle was moving. The distraction to parents, as they pull over, reprimand their children, and then buckle them in again, increases the chances of a serious injury 3.5 times.

So be sure to double check that your child's seat is installed properly and that children are fastened securely.



BETTER BUDGETING (continued from page 1)

frivolously going forward. If you have a computer, you may want to take advantage of free budgeting programs like BudgetSimple.com or Mint.com to track expenses and make sure you're sticking to the plan.

3) Put money aside each month for basic living expenses.

Your rent or mortgage, phone, insurance, gas, and electric bills must be your first priority. After that comes food, gasoline and entertainment if there's money left. But, remember that you don't have to spend every dollar. It's a very smart idea to save for a rainy day if you can.

4) Use only cash or a debit card for purchases.

Use credit cards only in a true emergency. If you don't have the cash for that item, don't buy it. Using credit cards can encourage spending beyond your budget and lead to big problems later.

5) Shop with coupons and buy on sale.

Clipping coupons and buying only discounted items can save hundreds of dollars each year. Be sure to check the newspaper and, if you have access the internet, visit coupon web sites for savings.

6) Never shop on impulse.

Even the best budget can go awry quickly if you stray from the plan. To avoid that, make a shopping list and purchase just those items on the list. If there's a great sale on an item the household really needs, you may want to make an exception but, do so sparingly and only if the item is really needed.

7) Review and update your budget regularly.

After a few months of being on a budget and tracking your expenses, you'll have a good sense of what's truly needed and what can be cut. Review and adjust the budget every few months to save more dollars and to adapt to changes in income or life circumstances.

CLIP & SAVE: Helpful Contacts

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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

Voc. Rehab. Services: 317-254-6707 | 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

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: 4279 N. Lafayette Rd. – 317-290-3233

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

East Side: 5515 N. Post Rd. – 317-541-3642

*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.

“Care for those around you. Look past your differences. Their dreams are no less than yours, their choices no more easily made. And give, give in any way you can. To give is to love. To withhold is to wither. Care less for your harvest than for how it is shared and your life will have meaning and your heart will have peace.”

— Kent Nerburn