



The Road To Justice Starts Here

Exclusively Representing Women in Divorce, Custody and Support Matters and the Injured through No Fault of Their Own.

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FIELD SOBRIETY TESTS...

what you need to know

If you are ever pulled over on suspicion of driving under the influence or driving while intoxicated, you'll likely be asked by the police officer to perform a series of field sobriety tests. Unfortunately, the vast majority of people don't know that they can refuse to take field sobriety tests in most states (in fact, it's usually a good idea to refuse to do so).



To put it simply, field sobriety tests are designed for you to fail. They're subjective, inaccurate, and often performed incorrectly by officers.

While there are a variety of field sobriety tests, the most common and widely used are the:

- Horizontal gaze nystagmus test (in which the officer asks you to follow a moving pen with your eyes while keeping your head still)
- Walk-and-turn test
- One-leg stand test

Some of the inherent problems with these tests include the possibility that the person asked to perform the tests may be too old or out of shape to "pass" them, the terrain or even the types of shoes the person is wearing can affect balance tests, the officer may give unclear instructions regarding the tests, and ultimately, because of the subjectivity involved, the officer can rely on his or her own scoring method to guarantee failure.

As mentioned above, your best bet is to refuse to take field sobriety tests. However, if you do submit to the tests and are subsequently charged with a DUI/DWI because of them, you should contact an experienced DUI lawyer to mount a vigorous defense against the results. ■



THE NATIONAL TRIAL LAWYERS RATED PAUL NATHAN IN THE TOP 100 TRIAL LAWYERS IN CALIFORNIA!

The National Trial Lawyers: Top 100 is an invitation-only organization composed of the premier trial lawyers from each state or region who meet stringent qualifications. Each of our distinguished **Top 100** members possesses the knowledge, skill, experience and success held by only the best and finest lawyers in America. By combining resources, power, and influence, **The National Trial Lawyers: Top 100** is devoted to preserving and protecting justice for all.

This year, Paul was rated as one of the Top 100 Trial Lawyers in California for his work representing Plaintiff's in injury cases and trying various family law cases.



A GOOD HOST'S DUTIES MIGHT NOT END

with the party

Summer is a busy celebration season. Graduation parties, cookouts, and pool parties dot the landscapes of many people's social calendars. If alcohol is being served, the hosts of these gatherings should be aware of potential liability issues.

Over the last century, most states have established "dram shop" laws. These laws allow third-party lawsuits to be filed against restaurants, bars, and sports venues, among other licensed alcohol vendors, who sell alcoholic beverages to patrons whom they knew—or should have known—were intoxicated who go on to injure others or cause property damage.

"Social host liability" laws are similar to dram-shop laws but may hold accountable any individual who serves alcohol to a guest. This includes homeowners or tenants who host a gathering at their private residence. However, social host liability laws vary widely from state to state. For instance, some states do not impose any liability on social hosts **unless the intoxicated person was a minor**. Some states limit liability to injuries or damages occurring on the host's premises, while others extend beyond the gathering's location (e.g., drunk driving).

If you are hosting a special event at your home, enjoy yourself. But if you are serving alcohol, it's not enough to simply focus on having enough food, a clean house, and so forth. Exercise good oversight of your guests, too—for their well-being and your own. And if you become the victim of a drunk person's actions, be aware that they might not be the only party responsible. A good personal injury attorney can help you sort out your options. ■



ROAD CONSTRUCTION ZONE DANGER cuts both ways

Each year, hundreds of road construction workers across the country are killed in work zones due to traffic incidents. One of the top causes is drivers who pass on the outside of the construction zone and collide with workers, equipment, or other vehicles. Drivers passing through work zones need to pay attention, follow instructions, and observe the speed limits.

However, construction zones can be dangerous for passersby as well. According to a study conducted by the Federal Highway Administration in 2010, construction zones were the sites of roughly 87,000 vehicular accidents per year, nationally, leading to over 37,000 injuries, not to mention damage to property.

Work zones containing incorrect, improper, or confusing signage; insufficient warnings on lane closures, merges, or shifts; sudden speed changes; missing cones or barrels at key points; dangerously uneven pavement or unblocked, unmarked holes in the road; poor lighting; and construction vehicles entering and exiting the roadway in a reckless manner are a few of the hazards that may lead to accidents.

Road repair/construction is an inevitability. Roadways in a state of disrepair will be a source of danger to motorists and need to be fixed. But it needs to be done with the highest standards of safety and care in mind. All of the situations mentioned previously are completely avoidable.

If you are the victim of negligence at a road construction zone, you may file a claim against a worker, the construction company, the city, or other entity involved in the situation. Contact an auto accident attorney to safeguard your rights. ■

THE HEAT IS ON – safety tip



According to the National Weather Service, heat is the number one weather-related killer in the United States, and it results in hundreds of deaths each year. Surprisingly, excessive heat claims more lives on average each year than other seemingly more sinister weather events such as floods, lightning, tornadoes, and hurricanes combined.

Children, Parked Cars, and Warm Temps—a Bad Mix

Leaving children alone in parked vehicles is never a good idea, but it's especially dangerous on warm days. Dozens of children die each year after being left unattended in vehicles, sometimes even when they are left for just a short amount of time. The temperature inside a vehicle—even on a day that's just 80 degrees—can quickly rise to levels well over 120 degrees, leading to heat stroke once the child's body can't cool itself down.

Safe Kids, U.S.A. recommends that you never leave your child alone in a parked car—even for a minute. Always lock unattended vehicle doors and trunks and call 911 immediately if you see a child left unattended in a vehicle. ■

July 2018 – Important Dates

July 2 — Wimbledon Tennis Tournament Begins
July 4 — Independence Day
July 7 — World Chocolate Day
July 15 — National Ice Cream Day
July 22 — Parents' Day

menace at the beach

(NO, NOT SHARKS)

Eighty percent of beach rescues performed by lifeguards result from swimmers getting caught in rip currents. Rip currents are powerful, channeled currents of water that flow away from the shore, back out to sea. They account for over 100 deaths per year at U.S. beaches.

Rip currents typically form at low spots or breaks in sandbars, or near structures such as jetties and piers. When waves break strongly in some locations close to shore and weakly in others, the risk of dangerous rip currents is elevated. Their strength and speed is influenced by wave height and the frequency of wave formation.

Most rip currents travel at 1–2 feet per second; however, the strongest ones surge at speeds as high as 8 feet per second—faster than an Olympic swimmer can sprint. Rip currents frequently dissipate just beyond the line of breaking waves, but some may extend hundreds of yards offshore. Most are narrow—less than 80 feet wide—but occasionally can be broader, to well over 100 yards.

If you find yourself ensnared by a rip current, remain as calm as possible. Do not fight against the current. Since most rip currents are narrow, swim parallel to the shoreline until you escape its grip, then head back to shore. If you can't, calmly tread water or float until it weakens. If you know you are still in trouble, face the shore, wave your arms, and yell for help.

Rip currents can occur at any beach with breaking waves, including the Great Lakes. Swim at lifeguard-protected beaches to improve your survival chances should rip-current trouble arise. ■





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FIELD SOBRIETY TESTS... what you need to know



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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

hunger a growing problem

AMONG COLLEGE STUDENTS



Recent research conducted by Temple University and the Wisconsin HOPE Lab involving over 43,000 students at 66 colleges found that a whopping 36 percent of students sometimes skip meals or eat smaller meals to make ends meet.

College hunger is nothing new, but it appears worse today than ever, and the reasons are varied. More low-income students are enrolling in college with the help of needs-based scholarships, grant programs, and other initiatives. These instruments are great at getting students onto campus, but they don't help with students' everyday expenses—which rise every year.

Competition for low-wage jobs has increased in recent years, putting an even tighter squeeze on some students. Students may also have a difficult time receiving food stamps due to stricter work requirements.

In addition, some universities have been hesitant to acknowledge the problem, worried as they are about its potential effect on recruits and donors. Many schools, however, have begun to address the situation. Some have altered their dining plans to cover more meals, are offering more low-cost options, or are distributing free dining hall vouchers to those in need. More and more universities are opening food pantries or are collaborating with nonprofit organizations to redistribute unused meals to cash-strapped students.

Some advocates are calling for the federal government to assist by providing free or low-cost meals at colleges, as is done in primary and secondary schools. Others are seeking changes in the way financial aid is calculated so it includes food and shelter.

When all is said and done, the best students are properly fed students. Hopefully all parties involved can eventually reach a workable solution. ■

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