

Makin' It Better Newsletter

Oregon Workers' Compensation | Personal Injury | Social Security Disability

distracted walking: A GROWING CONCERN

what's inside

page 2

A special
Thanksgiving recipe

Driverless cars, legal
repercussions

page 3

Paying for college:
More thoughts

page 4

There are still
mushrooms out
there

Cell phones play a major role in distracted driving, but it seems they pose dangers for pedestrian users, too. Accidents spurred by distracted walking that required an emergency-room visit increased nearly sixfold

from years 2005 to 2010 (from 256 to 1,506).

Whether spraining an ankle from failure to recognize the edge of a curb, losing a head-on encounter with a pole that appears “out of nowhere,” or walking smack into a moving vehicle, pedestrians experience the gamut of injuries.

Pedestrians utilizing cell phones may suffer from “inattention blindness”—seeing an object but failing to process it. One theory on this is that cell-phone conversations tax two sensory areas of the brain: audio and visual. Someone on a cell phone visualizes images based on the conversation at hand. Real images get the short shrift.



The lion's share of injuries involving distracted walking is incurred by the 16–25 age group. Talking on the cell phone accounted for 69 percent of injuries, as opposed to 9 percent for texting.

The number of injuries and emergency-room visits reported are probably just a drop in the bucket; the real numbers are likely much higher. Not everyone who's injured goes to the emergency room. For those who do, the little detail of the role their cellular device played in their misfortune is often omitted.

The evidence strongly suggests that when it comes to safe cell-phone use, a stationary position is by far the best strategy. Motion and cell-phone usage seem to equal trouble—whether it's driving *or* walking. ■

A SPECIAL THANKSGIVING RECIPE

caramelized onion and cornbread stuffing

Recipe from Tyler Florence

Prep Time: 5 mins; Cook Time: 40 mins

Yield: 6 to 8 servings

Ingredients:

- 2 tablespoons butter
- 2 onions, chopped
- 6 large cornmeal muffins, cubed
- Handful fresh sage leaves, chopped
- 1 egg
- 1/4 cup heavy cream
- 1/4 cup chicken stock
- Salt and freshly ground black pepper

Directions:

Preheat the oven to 375 degrees F.

Melt the butter in a medium skillet over medium heat. Add the onions and cook, stirring, for about 10 minutes, or until soft and caramelized. Add sage and scrape into a large mixing bowl. Add the cornbread pieces, season well with salt and pepper, and give it a good toss until it's well combined. In a separate bowl, whisk together the egg, cream, and stock, and pour that over the cornbread. Stir the stuffing together and stuff the cavity of the turkey. You could also spoon it into a buttered baking dish and put it in the oven along with the turkey. Bake until hot and crusty on top, about 30 minutes. ■



driverless cars,

LEGAL REPERCUSSIONS

Driverless cars are capable of driving completely without human help. Though this technological innovation may seem like the greatest thing since the invention of the car itself, it may raise some legal issues. After Google and Toyota announced their launch of these autonomous cars, some states began to mold their laws in response to this invention. In 2012, Nevada, Florida and California all passed laws addressing this issue. According to a Harvard Law article¹, these responses are only the beginning steps of the issue at hand. These cars will require states to mold their driving leisure laws, and the National Highway Traffic Safety Administration would need to devise new vehicle safety standards that are constant with the new technology and software.

The main question that many have been asking is: If you get into a car accident caused by these cars, who do you blame? Is it the driver's fault for being in the car that caused the accident, even though he was technically not operating it? Or is it the company that created this vehicle at fault? Laws will have to be created to address these issues, because all of the current laws were created for humans operating the vehicles, not autonomous machines. Another important issue to consider is how these laws could affect the market itself. Autonomous cars might imply that the driver now becomes the passenger; so if an accident occurs, the liability would have to be defined by the state. If the blame gets put on the driver, this might affect the market for these cars. Vice versa, if the laws benefit the driver and not the company, fewer companies will likely invest in these cars.²

This new technology is going to continue to expand. In fact, companies such as Audi and Mercedes have stated that they have plans to create one of these vehicles. Audi has already obtained a test license for autonomous cars in Nevada. If these companies are successful in creating an efficient and safe driverless car, this could reduce the number of deaths caused by drunk, distracted, or tired drivers. However, if the machine fails, even in one case, it could raise a legal issue that we are not currently prepared to address.

With the expansion of this technology, these legal issues must be addressed. Perhaps it is time for more states to consider shaping their laws in order to keep up with this innovative technology. ■

¹ <http://www3.law.harvard.edu/orgs/citylaw/2013/04/11/driverless-cars-the-law-the-future-of-cities/>

² <http://www3.law.harvard.edu/orgs/citylaw/2013/04/11/driverless-cars-the-law-the-future-of-cities/>

paying for college:

MORE THOUGHTS

Last month we began exploring the daunting task of paying for college. Having a college bound youngster in my house motivated this project for sure, but hearing about young people with massive debt coming out of school to a skinny job market got me thinking as well.

So far, I have learned that community colleges are a real value with no real negative impact on a student's job prospects. In this article, we look at maximizing the community college experience, including making sure all those credits transfer to the four year institution. We also explore other alternatives for those determined to pursue the four year college experience.

Community colleges offer much more career building opportunities than in the past. Check out honors programs, and relevant job experience during your community college tenure. It is valuable experience, and sets you apart from other job or school applicants. If you have your eye on a four year institution, make sure all your credits will transfer to your four year institution to avoid having to take the same course twice.

If the "social stigma" of attending community college is a concern, look ahead at what you are facing with crippling student loan debt in a tight job market. If asked about your decision, think about saying something like, "You know, we did a lot of research, and considering all the short and long term benefits, we thought that community college made the best sense." Good answer.

If you are your child insists on "going away" to a four year school, consider encouraging them to consider taking summer courses at a community college. The credits are cheaper, and it's a great way to get the general course requirements out of their way. With the lower tuition, and the prospect of graduating early, the savings are significant.

Avoid for profit colleges, whether they offer a two or four year degree. The television commercials are impressive, but these schools are "for profit," which means higher tuition. These schools will also admit just about anyone, and have very high drop-out rates. You will do much better at a publicly owned institution.

Probably the most encouraging advice I am getting out my research is the old school notion of working while in school. Nothing new here, but at the risk of sounding old and cranky, it is not something many college kids fail to consider. A part time job, just ten hours a week, can shave a third off of some tuitions, and studies show that on the average, GPAs are higher for those holding part time work.

In our family, everybody worked at least part of the time they were going to school. My father was married with a daughter working full time while carrying a full load in college. He and my mother talk about going out to dinner at the bowling alley to eat pasta fagioli for a whopping 35 cents. My mother completed her bachelor's degree while raising four kids, and pulled a 3.85 GPA! With the average college kid today watching 24 hours of television a week, it is possible to work and go to school.

But saving on tuition and possible early graduation are not the only benefits. You will learn time management, and prospective employers are going to notice someone working and going to school. Trust me. Also, there is the wonderful opportunity of "relevant" work experience, either in the private sector, work study programs, or fellowships, all of which will help someone to define their career path.

I hope to continue the discussion in future issues, and invite any suggestions or comments. No matter what, the pasta fagioli recipe is coming. ■

November 2013 Important Dates

November 1 – All Saints' Day
November 3 – Daylight Savings Time Ends
November 11 – Veterans Day
November 27 – Hanukkah (begins at sundown)
November 28 – Thanksgiving Day

The Di Bartolomeo Law Office, P.C.

1139 Exchange Street

Astoria, Oregon

(503)325-8600

www.joedibartolomeo.com

distracted walking:

A GROWING CONCERN



SEE PAGE ONE

This publication is intended to educate the general public about personal injury, on the job injuries, Social Security, 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.

there are still mushrooms out there

This time of year is as good as it gets for local food. The harvest is in, and hunting season provides opportunity for the ultimate organically grown meats: waterfowl, venison and elk. Mushrooms are still out there too. In addition to making sure you know what you are picking, here are some tips on harvest, preparation, and cleaning of mushrooms. The bottom line: it's about the flavor.

If you are lucky enough to have a choice off the forest floor, look for cleaner and smaller mushrooms. Also, select mushrooms that are heavy for their size. These mushrooms will offer more flavor.

You can use water to clean the mushrooms, but the gills are going to hold onto it, so consider a soft brush to clean off debris. Dry cleaning will allow you to truly sauté the mushroom and not steam out the flavor. If you do use water, make it a quick rinse, and maybe use a salad spinner to push the water out of the mushroom. (if you do not have a salad spinner, you are missing out on one of the greatest things ever invented.)

Chanterelles and Oyster mushrooms are better torn than chopped. Other varieties can be chopped, but not too finely. You may find

the recipe that asks to discard fibrous stalks of varieties like Shiitake and Portobello. If you like to make soup, freeze the stalks to make a great broth.

Do not be afraid to cook the mushrooms down. They contain a lot of water, and after the liquids are released, you will be able to brown the mushroom to maximize flavor.

If you are new to mushroom picking, we **STRONGLY RECOMMEND** that you attend a class on identification. We are at the tail end of the mushroom season, but be sure to look at your community college or local extension web site for course offerings. ■



Visit us at www.joedibartolomeo.com