



Ziff, Weiermiller, Hayden & Mustico  
LLP

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- Elder Law

## LEGAL NEWS YOU CAN USE

Welcome to the inaugural edition of *LEGAL NEWS YOU CAN USE*, our firm's free newsletter bringing you information and insight into legal issues affecting you and your family.

## Judges Crack Down On Lawyer Advertising

Are you as sick of lawyer advertising as we are? For years, we have been a captive audience to a never-ending succession of lawyers insulting our senses and intelligence with one trashy ad after another. Who do they think **LIKES** these ads? Certainly not the judges of this state! Earlier this year, the presiding judges of New York's four appellate divisions proposed changes to the rules governing attorney advertising that, if adopted, would bring sweeping changes to the way attorneys may advertise. If these proposals are adopted, no longer will we be assaulted by the image of some has-been actor urging you to hire a particular attorney. Attorneys who work alone will no longer be able to claim they work in a partnership with other attorneys.

The lawyers at the **Ziff Law Firm** support these rule changes. These obnoxious ads and frequent rules violations are a blight on our profession and contribute to the public's declining view of the legal profession. Rest assured that the Ziff Law Firm will never use these types of ads. We view advertising as a necessary evil to protect our business in this competitive marketplace. While we wish we

could go back to the days where decisions on which attorney to hire were based on the recommendations of friends, family, and satisfied customers, that's just not going to happen.

So what can we do to clean up our television and radio waves? First, you can call the Appellate Division and let them know you support these rule changes. The phone number for the Appellate Division, Third Department (encompassing Chemung County) is (518) 474-3609. The phone number for the Fourth Department (encompassing Steuben County) is (585) 530-3100. Second, when you see an ad that's over the top, call that lawyer and tell them you wouldn't hire a law firm that uses ads like that. Third, if you see an ad that offends you, use the power of the purse strings to send a message that hits them where it hurts. When people avoid lawyers who use offensive advertising, a strong message will be sent that we won't put up with these ads anymore. And once that message is received, we can all rest easier.

*We support a crackdown on  
attorney advertising!*

**Local Lawyers, Big City Results!**

# The Insurance Company Laughed At Us When We Said It Had To Pay—But Then They Folded

## FREE BOOK OFFER

**Jim Reed** recently represented some nice folks from Horseheads. They have good jobs, a nice home, and work hard to provide a nice lifestyle for their family. They are careful with their money but understand the need to have good insurance coverage to protect them and their lifestyle. In fact, they paid a bit more for their car insurance to have additional coverage in the event that they were involved in an accident with someone who didn't have enough insurance coverage. It's a good thing they did.

About a year and a half ago, the husband was badly injured when he was rear-ended by another driver. He needed two separate surgeries and was unable to work for a long time. Unfortunately, the other driver had lousy insurance—just the minimum required coverage (in New York, it's \$25,000; in Pennsylvania, it's only \$15,000). Twenty-five thousand dollars doesn't go far when you can't work and you have monstrous medical bills.

The good news is that these folks had purchased additional coverage from their own carrier—this coverage is called Supplemental Underinsured Motorist coverage ("SUM" for short). Because it is cheap and provides very important coverage to protect YOU and your family, we highly recommend that ALL clients purchase this coverage. For more information regarding this coverage, just e-mail **Jim Reed** at [jreed@zifflaw.com](mailto:jreed@zifflaw.com) or call him at **733-8866**, he will send you a **FREE BOOK** explaining auto insurance. Remember, we don't make a penny selling car insurance, but we DO want you to have the protection you need.

Back to the clients. They hired Jim to represent them and after some spirited negotiations with the other driver's insurance company, they finally agreed to pay every penny of their \$25,000 policy. While that was great, it didn't come anywhere near fully compensating them for their injuries.

That's where the SUM coverage comes in. Their own car

policy provided another \$75,000 of SUM coverage. Remember, this is EXTRA coverage THEY PAID FOR. They paid premiums year after year so they would have coverage if they ever needed it.

Wouldn't you think that their *own* insurance carrier would treat them right? Think again. Jim sent their insurance company stacks of medical records confirming the seriousness of their own customer's injuries and his inability to work. Jim wrote lengthy letters explaining the legitimacy of the SUM claim.

Letter after letter, call after call, their own insurance company refused to respond or make any offer.

Finally, Jim and the clients got fed up and filed an action to force the company to address their claim. Again, the carrier did nothing. A trial date was set. Jim submitted huge stacks of medical records, doctor reports, accident reports, etc. Jim prepared witnesses to testify. Still, nothing from the insurance company. Nothing.

The day before the scheduled hearing, the insurance company called and tried to chisel on the \$75,000 claim. They wanted to pay less. Jim was furious: "How could you ignore us for months and now try to negotiate the amount you owe your own customer? Go pound salt; we will see you in court."

The carrier finally paid every penny of their \$75,000 coverage. Every penny.

Why does this tick us off? Because this is NOT how any insurance company should treat their own customer. It shouldn't be a war between you and the company whom you are paying to protect you. The insurance companies complain about "frivolous lawsuits," but what about their own wrongful denials of claims? Every day, we are forced to file lawsuits on behalf of nice folks who are getting jerked around by their own insurance companies. Sure, it is business for us, but we are busy enough without having to fight battles that would be unnecessary if the insurance companies would just be honorable with their own customers.

## *A Local Tragedy...*

Our hearts go out to the family and friends of **David and Carol Keeffe**, who were recently murdered in their Sayre home. Many of us at the **Ziff Law Firm** had the pleasure of working with David over the years. David was a first-rate attorney of the highest order—he was bright, hardworking, and honest. Although it has become popular to ridicule "trial lawyers," David Keeffe was a trial lawyer who defied all ridicule. He truly cared about his clients and worked hard to help them. He cared deeply about doing things the "right way" rather than the easy way. He didn't cut corners. He didn't "stretch" the truth. He knew that keeping his word mattered.

We proudly considered ourselves colleagues of David, and we will miss him. We join the legal community in mourning the loss of one of the "good guys."

## Kind Words Make Our Day!

One of our greatest pleasures is receiving a simple “thank you” for a job well done. Likewise, we DO want to hear from you when you have not been happy with us, as constructive criticism is the only way we can improve. If you have something good/bad that you would like us to know, please e-mail us at [info@zifflaw.com](mailto:info@zifflaw.com) or call **1-800-679-1713, ext. 500**.

Here’s a nice note **Jim Reed** recently received from one of his clients:

*Hi Jim,*

I hope you had a nice Thanksgiving holiday. Hopefully you found time to relax and enjoy family and friends. You’ve been on my mind all week, and I’ve been meaning to send an e-mail. I’ve certainly been thinking of you because we have hit the five-year anniversary of my brother’s death, but also, and more importantly, because each Thanksgiving holiday your name comes up, discussion follows, and collectively my family expresses their absolute gratitude and thanks for the wonderful job you are doing in Fran’s name.

I know this case has not been a walk in the park, and I want you to know that my family continues to be impressed by the amount of work you’ve done and the high level of energy and enthusiasm you continue to bring to the case.

As we counted our Thanksgiving blessings, you were certainly among them. Thank you again, and again, for all you are doing on our behalf.

Talk to you soon.

*Kelly*

## There’s No Such Thing As a Stupid Question...

After more than 60 years of representing folks in the Twin Tiers, we know that many people are reluctant to call a lawyer because they are afraid that their question is a “dumb one.” Often, folks will wait until they have a real mess on their hands before they call us. We want that notion to STOP NOW. We know the laws are complex, and it’s impossible for any one person to keep up with all the daily changes in the laws.

We want you to know that we are HAPPY to answer your questions and, quite frankly, we would actually prefer to give you advice BEFORE your “little problem” becomes a BIG problem.

There are two great ways to get a hold of us to ask a legal question: (1) You can e-mail us at [info@zifflaw.com](mailto:info@zifflaw.com); (2) You can call **1-800-679-1713, ext. 500**, and leave a message for us. Either way, your question will be routed to the attorney who handles the type of question you asked. We can usually get back to you within 24 hours. We do NOT charge for answering your questions unless we end up having to meet with you because your question is too complex to properly answer via e-mail or the phone. Don’t worry, you won’t be charged a penny unless you actually hire us to represent you.

Please give us a ring if we can help.

## INSIDER NEWS— What’s Happening at ZiffLaw

Many of you may have met **Steve Judge**, who is now working with **Don Mustico**, **Tina Marshburn**, and **Terri Hogue** in our Estate Planning Department. The BIG news for Steve is that he just learned that he PASSED THE NEW YORK STATE BAR EXAM! Steve kept our streak intact—every attorney at ZiffLaw has passed the Bar exam the first time, which is pretty tough because New York is nationally recognized as among the top three toughest Bar exams in the country. Congratulations, Steve!



## FREE Legal Information

Speaking of legal questions, our Web site at [www.zifflaw.com](http://www.zifflaw.com) is chock-full of legal information. We’ve spent a lot of time creating a Frequently Asked Questions (FAQs) area for many legal topics, including: Personal Injury, Medical Malpractice, Bankruptcy, Elder Law, Real Estate, Wills, etc. In fact, we consider the

FAQ area of our Web site a work in progress, and we are constantly adding new information as we address YOUR legal questions.

By all means, if you check out our FAQs and you have a question that is NOT answered, just e-mail us at [info@zifflaw.com](mailto:info@zifflaw.com) with your question; we will answer it AND add it to the FAQs. Thanks for your help in making these FAQs more useful for everyone.



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**FREE BOOK  
OFFER INSIDE!**

***What you don't  
know can hurt you!***

***Learn the secrets to  
buying the right car  
insurance to protect  
your family.***

The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

# The Lawyers At The Ziff Law Firm Are Fighting Back!

For years, we have watched outsiders bombard our televisions, radios, and phone books with ads trying to convince our friends, neighbors, and clients that the only way for them to get top dollar for their cases is to retain attorneys who practice in a big city three hours away. Time and again we have been forced to pick up the pieces when, disillusioned by long car rides and the impossible task of getting a live person on the phone, our friends and neighbors come back to us to finish handling their claims. Year after year, we have watched the quality of lawyer advertising descend to newfound depths. Just when we thought we had seen it all, they find ever-new ways to make our stomachs turn.

Well, we at the **Ziff Law Firm** can't and won't take it anymore. WE HAVE HAD ENOUGH! As many people have told us, bigger is not better, especially when bigger means that you don't know which 1 of 50 attorneys or 70 paralegals is supposed to be working on your case. Contrary to what the big-city ads would have you believe, hiring a lawyer who works in a big city is not a guarantee of anything other than a long drive to see them. Any attorney can be a "big city" attorney as long as he or she can stomach living there.

At the Ziff Law Firm, we pride ourselves on being local attorneys. We choose to live in a community where we see our clients at church, in the grocery store, and at the ball field. We enjoy living in a community where we can make a difference in people's lives. For more than 60 years, the attorneys at the Ziff Law Firm have been dedicated to ethically and aggressively prosecuting our clients' cases, with results that equal those of any Johnny-come-lately big-city firm. We live here, our children go to school here, and you don't need a road map, compass, and a day off from work to find our office. That's why at the Ziff Law Firm, we pride ourselves on being **LOCAL LAWYERS WHO GET BIG CITY RESULTS!**



**Bigger Is  
Not Better!**

