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## Our Office

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## Welcome

***Social Security Disability for Epilepsy and Seizure Disorders.*** We are often asked by claimants why they were denied by Social Security even though their doctors say they are disabled. It is not enough to be diagnosed with epilepsy. Objective evidence proving severity and frequency is necessary to approve claims.

1. **Comply with Treatment from a Neurologist or Epileptologist.** To receive benefits, your disability must be expected to last at least a year or end in death. Besides being diagnosed with epilepsy, you must show compliance with treatment. Non-compliance with treatment, such as forgetting to take medication or doing activities that trigger your seizures (consuming alcohol, etc.) is a common basis for denial.
2. **Frequency and Severity of Seizures is Important.** To meet Listing 11.02, you will need to prove you have more than one grand mal seizure a month despite at least 3 months of prescribed treatment, AND the seizures must occur during the daytime or, if they occur during sleep, they must significantly interfere with your daily activities. To qualify under Listing 11.03, you must have more than one non-conclusive seizure a week despite at least 3 months of prescribed treatment, and your seizures include loss or impairment of conscious that cause unconventional behavior or significantly interfere with your daily activities.
3. **Document Your Seizures and Gather Supporting Evidence.** Keep a journal with specific dates each time you have a seizure. If you live with someone, have them assist you by describing the seizures in as much detail as possible, including the length and symptoms experienced before, during, and after the seizures. This would not only help your case, it would also help your doctors treat you.
4. **How to Qualify if Without Meeting a Listing.** Unfortunately, seizures are unpredictable and usually do not occur on a strict schedule. If you cannot meet the strict listing requirements of 11.02 or 11.03, you can still get approved if you can prove that your functional capacity prevents you from working. Factors such as age, education, and transferable skills would then be considered by SSA to determine whether you can still qualify for disability.



Super Lawyers



## Client Testimonials

**Helping Clients For Over 30 Years, We Can Help You Too!**

"This team of lawyers provided the best support and representation necessary to achieve a favorable outcome for me. They kept me informed and prepared every step of the way. The staff were above all expectations and very professional."  
– Andre H.

"They treated me good. They knew what was needed and provided needed information and answered my questions. Good video for preparation. I needed the pre-hearing meeting to present a better attitude."  
– Edward G.

## Nine Reasons to Have a Will

- 1. You decide how your estate will be distributed.** A will is a legally binding document that allows you to determine how your estate is to be handled upon your death. If you die without a will, there is no guarantee that your intended desires will be carried out. Having a will helps minimize any potential family disputes about your estate and also determines the "who, what, and when" of your estate.
- 2. You decide who will take care of your minor children.** A will allows you to make an informed decision about who should take care of your minor children. Absent a will, the court will take it upon itself to choose among family members or a state-appointed guardian. Having a will allows you to appoint the person you want to raise your children or, better, make sure it is not someone you do not want to raise your children.
- 3. To avoid a lengthy probate process.** Having a will often speeds up the probate process and informs the court how you'd like your estate divided. Probate courts serve the purpose of "administering your estate", and when you die without a will (known as dying "intestate"), the court will decide how to divide estate without your input, which can also cause long, unnecessary delays.
- 4. You decide who will wind up the affairs of your estate.** Executors make sure all your affairs are in order, including paying off bills, canceling your credit cards, and notifying the bank and other business establishments. Executors play the biggest role in the administration of your estate; you'll want to be sure to appoint someone who is honest, trustworthy, and organized.
- 5. You can disinherit individuals who would otherwise stand to inherit.** Most people do not realize they can disinherit individuals. Yes, you may wish to disinherit individuals who may otherwise inherit your estate if you die without a will. Absent a will, your estate may end up in the wrong hands or in the hands of someone you did not intend.
- 6. Make gifts and donations.** The ability to make gifts is a good reason to have a will, because it allows your legacy to live on and reflect your personal values and interests. You decide what charities you want to give to.

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....continued from page 2 **Nine Reasons to Have a Will**

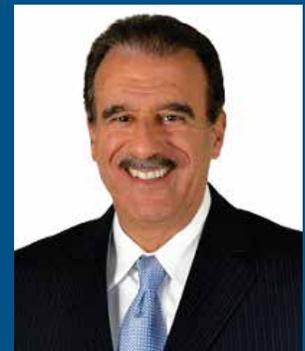
- 7. **Avoid greater legal challenges.** If you die without a will, part or all of your estate may pass to someone you did not intend.
- 8. **You can change your mind if your life circumstances change.** A good reason for having a will is that you can change it at any time while you're still alive. Life changes, such as births, deaths, and divorce, can create situations where changing your will are necessary.
- 9. **Tomorrow is not promised.** Procrastination and the unwillingness to accept death as part of life are common reasons for not having a will. Sometimes the realization that wills are necessary comes too late – such as when an unexpected death or disability occurs. To avoid the added stress on families during an already emotional time, it may be wise to meet with an estate planning lawyer to help you draw up a basic estate plan at the minimum.



**G. Steven Fleschner**



**Dennis H. Stark**



**Anthony A. Tanoos**



**Thomas C. Newlin**

## April Employee of the Month

Congratulations to our April Employee of the Month, Brenda Palmer.

Brenda has been a receptionist with our law firm for the past thirteen years and loves all the people she works with. She said the best part about her job is constantly interacting with people, either by phone or in person. Her goal is to smile, be cheerful, respectful, and get clients connected with the staff member they need as quickly as possible.



**Brenda Palmer**

Brenda's family is VERY important to her. She loves her daily visits with her father, who is a retired minister and her inspiration. She has a daughter, a son, and four beautiful granddaughters. Brenda also loves to have breakfast at Panera Bread every single morning with her friend. She also has a Chihuahua named Lucy and a cat named Rosie (who looks like Mrs. Garfield).

Brenda's hobbies include spoiling her granddaughters, attending church, singing and teaching Sunday School. Also, the year she turned 40, she decided to become a vegetarian and has never looked back!

People who voted for Brenda, said this:  
"Brenda has been here for 13 years. She knows the ins and outs of the receptionist position and is a very reliable worker."

## FSTN Gives Back

Our law firm participated in a state-wide food drive last month called, March Against Hunger. This friendly competition between Indiana law firms was organized by Indiana Attorney General, Greg Zoeller, and has become a tradition for our law firm.



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In 2011, our law firm won the Attorney General Cup for the most money raised and donations made. We are currently awaiting this year's results but we were able to raise \$1,500.00 in monetary donations and over 100 pounds of food. Every dollar we donate equals five pounds of food at our local food bank, Catholic Charities. So, in total, we provided over 7,600 pounds of food to our local community.

## Lawyer Jokes

You might find it strange that the lawyers at Fleschner, Stark, Tanoos & Newlin think lawyer jokes are funny, but they do. However, you could never accuse any of the FSTN lawyers of doing the following:

YOU know you need a different lawyer when . . .

- You met him in prison.
- During your initial consultation, he tries to sell you Amway.
- He tells you that his last good case was Budweiser.
- When the prosecutors see who your lawyer is, they high-five each other
- He picks the jury by playing "duck-duck-goose."
- He asks a hostile witness to "pull my finger."
- A prison guard is shaving your head.



## Have you Taken Abilify?

Fleschner, Stark, Tanoos & Newlin fights for the rights of clients nationwide in all types of personal injury cases, social security disability cases, defective medical devices, pharmaceutical (drug) injuries, class actions, and more. We can help, no matter where you live. We are currently investigating cases in which a claimant has suffered damages after taking Abilify. Abilify® (aripiprazole) is a prescription drug used to treat mental illnesses such as depression, bipolar disorder, schizophrenia, and Tourette syndrome. Recent reports have linked the drug with compulsive behavior in patients, including compulsive gambling. Approved by the U.S. Food and Drug Administration (FDA) in 2002, Abilify is a top-selling drug raking in billions of dollars each year for its manufacturers. But reports link Abilify to compulsive gambling, and European and Canadian regulatory agencies have required drug manufacturers to add warnings to drug packaging.

Abilify treats mental illnesses by targeting levels of dopamine and serotonin in the brain, which produce feelings of pleasure and motivation. However, a report published by the British Journal of Psychology suggests Abilify may over-stimulate the reward system in patients' brains, causing them to develop an impulse control disorder. Compulsive gambling has been reported in patients taking Abilify to treat mental illness, regardless of whether these patients had prior history of gambling. Compulsive gambling can have adverse effects on patients and their loved ones, including:

- Personal debt
- Emotional trauma
- Bankruptcy
- Home foreclosure
- Divorce
- Unemployment
- Damaged reputation

We are NOT suggesting you have been damaged by Abilify. We also are NOT suggesting that all, nor most people are damaged by Abilify. We are simply stating that accepted medical research shows that some people have suffered damage as a result of Abilify, often severe. Also, please understand that every state has statutes of limitations governing lawsuits against manufacturers of prescription drugs. If you do have a valid lawsuit and it is not filed before the statute of limitations expires, then you may be forever barred from bringing a legal action.

If you or someone you love has developed a compulsive gambling habit after taking Abilify, please contact us at (812) 231-5128 for a free consultation.