

# STAYING *in Touch*

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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Penalties of a DUI/DWI in Virginia
- A New Law – Put Your Cellphone Down While Driving
- The Christmas Star



**Brandon's Soapbox:** With the holiday season in full swing and the pending calendar change, it is typical to look back and reflect on the past year. In that vein, I would like to take this opportunity to thank all of you for your continued trust and confidence in our firm. Parks Zeigler has continued to grow and is now at eleven attorneys, eleven paralegals, four full-time administrative staff, and two part-time members. We could not continue to achieve such growth without your support and trust in us. We understand how difficult it is to put your faith into someone on a simple issue, much less one that is personal. We do not take that trust lightly. We will continue to work hard for you and are humbled by the support you have shown us.

As we look forward to the year 2021, the availability, safety, and effectiveness of a COVID-19 vaccine are foremost on everyone's mind. The vaccine brings hope that we can safely return to some daily normalcy. We all wish that day were today, and if not, tomorrow at the latest. Everyone at PZ wishes you a happy, healthy, and prosperous 2021.

## *Personal Injury*



Accidents happen, and often at the worst time possible. Unfortunately, what you say under the stress of that particular moment may come back to haunt you. In the event of an accident or accusation of wrongdoing, it is OK to simply remain silent and, if necessary, wait until you are able to speak to an attorney. Don't admit liability. If you are required to give a report, clearly state what happened, and stay away from opinions, especially as to who was at fault.

## *Brandon*

## *Did You Know?*

Did you know that on December 21st of this year, a once in a lifetime astronomical event where Jupiter and Saturn will sit just a tenth of a degree apart will occur? The planets will appear to merge from a vantage point on Earth, and the event has been dubbed as the Christmas Star.





*"The future belongs to those who believe in the beauty of their dreams."*

*– Eleanor Roosevelt*

## PENALTIES OF A DUI/DWI IN VIRGINIA

With the holiday season upon us, we would like to remind you that driving under the influence or driving while intoxicated is a serious offense in Virginia. The consequences that come with a Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) conviction can include jail time, a substantial fine, alcohol and drug classes, a suspended driver's license, an ignition interlock, probation, and a substantial increase in your insurance premiums. DWI/DUI offenses are very technical and you need experienced legal counsel on your side. The outcomes of a DUI or DWI case can be anxiety inducing because the risk is high – no one is positive about the outcome of the case. Hiring a trusted attorney is a first step to feeling more secure in your case.

Though they are different names, DUIs and DWIs are interchangeable in Virginia. They both entail that a driver was driving under the influence of alcohol or drugs. Despite the similarity between the two charges, there is one noteworthy factor that separates them. A DWI means you were driving when your blood alcohol content (BAC) was over the legal limit of 0.08. A DUI means you were under the influence of alcohol, and your consumption amount has led to obvious effects on your behavior, speech, movement, and appearance. In Virginia, it is possible to get a DUI with a BAC of even 0.06 or 0.07.

As stated above, the legal BAC limit in Virginia for those 21 and older is 0.08%; this limit is even lower for those under 21. The consequences you face in your drunk driving case can depend on your BAC at the time of your offense. These penalties may include (but are not limited to):

1. Fees and fines ranging from \$250 to \$2,500 or more if charged with a felony DWI
2. Suspension of your driver's license for up to 12 months or even longer in more serious cases
3. Restriction of your driving privileges
4. Mandatory installment of ignition interlock
5. Completion of the Virginia Alcohol Safety Action Program (VASAP)
6. Community service
7. Mandatory jail time

There are certain situations where your penalties can be increased. These include committing property damage, driving with a minor, having an elevated BAC, or refusing to cooperate with law enforcement when asked to complete a breathalyzer test.

If you or someone you love is facing a DUI or DWI charge, you need an experienced DUI/DWI defense attorney to help you successfully fight your Virginia DUI or DWI violation. You can find detailed information on what penalties you are facing and what to expect in your DUI/DWI case on our website [www.pzlaw.com/practice\\_areas/the-penalties-of-driving-while-intoxicated-dwi-driving-under-the-influence-dwi-in-virginia.cfm](http://www.pzlaw.com/practice_areas/the-penalties-of-driving-while-intoxicated-dwi-driving-under-the-influence-dwi-in-virginia.cfm). Your need for legal representation does not end after your case has closed. DUI charges (especially serious charges) can leave a trail of complications for life after serving your penalties. The DUI/DWI defense team at Parks Zeigler is here to answer your questions and help you cut through the legal jargon as you move on with life after your charges.

*We welcome your referrals!*

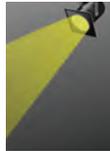
*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

This month Jessi Leitzel made Hot Chocolate Bombs, which are all the rage with videos everywhere! You will need a silicone sphere mold. Take 8oz of chocolate, hot cocoa powder, and mini marshmallows. Melt the chocolate in a double boiler over medium heat, stirring frequently until fully melted. Once melted, add a heaping tablespoon (or about 1 1/2 tbs) into each cavity of the mold. Using the back of a spoon spread the chocolate up sides of the mold up to the top. Give the mold a few taps against the counter to smooth out and remove any air bubbles. After 3-5 minutes, you should notice some pooled chocolate at the bottom of the cavities. Spread the pooled chocolate back up the sides to re-coat the sides, making sure the top ring is thick. Place the mold in the fridge for 3-5 minutes. Remove the chocolate by stretching the sides first and then using your fingers to push the bottom up, popping out the chocolate. Microwave a small plate for about 15 seconds or until warmed. Pick up one of the half-spheres and place it edge side down on the plate for a few seconds. This should melt the chocolate just a little bit. Fill half-sphere with 1 Tbsp of hot cocoa powder and marshmallows. Grab the other half of the bomb, melt the edge on the plate again and bring the two halves together and press gently. You can use the tip of your finger to smooth the chocolate around the seam. Place in fridge to allow the chocolate to set again. You can decorate outside tops as well. Place a bomb in mug and pour hot milk over it to see it burst open, stir, and Enjoy! See the variations to this recipe on our website at <https://www.pzlaw.com/library/recipes/>.

## SMALL BUSINESS SPOTLIGHT THE MANE LOUNGE



### THE MAIN LOUNGE

Getting your hair styled is a vastly different experience for each person. For some, it's routine, and they expect the same result with every visit. For others, it defines their appearance and they will drastically change their hairstyle several times a year. Tamecca Wicks of The Mane Lounge in Virginia Beach has a mission of bringing forward the best experience possible for anyone and has accomplished exactly that her entire career and especially over the past two years since she opened The Mane Lounge.

Wicks' shop is situated in the Town Center of Virginia Beach, located in the Phoenix Salon Suites, Suite 11, having her own salon space for each customer. She brings her years' of experience as a hair stylist and managing other shops to bear on the upscale and contemporary environment of the Mane Lounge. Wicks utilizes modern technologies to operate the salon, from being visible on Instagram and Facebook, to using text-booking and electronic payment options.



Kellam has followed Wicks around the area for years. We recommend you check out The Mane Lounge and experience their level of excellence for yourself. For more information or to schedule an appointment, visit [www.vagaro.com/themanelounge](http://www.vagaro.com/themanelounge).

## Family Corner



Ashley and her family are all decked out for the holidays!



LeeAnne and Morgan enjoyed some holiday shopping from local vendors at the Shack's Christmas market.



## OYSTER PIE

Oyster pie is one of my (Brandon) family's holiday traditions. It is a very regional dish that adds lots of local flavor for any out-of-town guest. I start with a large package of oyster crackers that I coat in melted butter. I line a pie pan with the crackers. Then I sauté onions, bacon, and celery. After browning, I add the oysters, oyster liquor, thyme, garlic, cream, and salt and pepper to taste and reduce the mixture until it thickens by a third. You can also add crawfish tails for a little Cajun flavor. Scoop the mixture into your pie pan, add old bay and hot sauce on top, cover with a layer of butter oyster crackers. Bake at 400 for about 20 minutes and enjoy!

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**INSIDE THIS ISSUE:**

- Penalties of a DUI/DWI in Virginia
- A New Law – Put Your Cellphone Down While Driving
- The Christmas Star

*Traffic Tips:*

We all own them, we all use them, and most of us use them while driving. That is, until now. On January 1, 2021, holding a cell phone in your hand while driving a motor vehicle in Virginia will now be prohibited. Previously, the law only prohibited reading or typing messages on a personal communication device, but there was no ban on hand-held devices, except in work zones. The legislation does exempt drivers who are legally parked or at a full stop and for emergency vehicle drivers such as police officers and firefighters. The fines for non-compliance are \$125 for a first offense and \$250 for a second offense.

While most people know that texting while driving is dangerous, most people do not realize that talking on the phone while driving increases your risk of an accident. Here are some suggestions to help you fight the urge to use your phone while driving and eliminate the chance of a fine.

- If your car offers hand-free functionality, use it.
- Set your phone to “Do Not Disturb” or silent mode.
- Put your phone in the glove compartment, trunk, backseat, or purse.
- Power down your phone.
- If you must use your cell phone, safely pull off the road first.
- If you are traveling with a passenger, let them be the designated “texter” and have them read messages aloud to you.
- Live by example! Show your loved ones that you care about them and stay off your phone.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

November 2020 Newsletter | VOLUME 9 - ISSUE 11 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Personal Injury Claim Process
- Revocable Living Trusts
- Black Friday



## *Family Law*



During separation, each parent will have their own agenda, but it is ultimately the court's decision for custody arrangements. This determination is based on "best interests of the child," which includes numerous factors such as the child's and parent's age, mental and physical condition, the established relationship and each parent's ability to meet the child's needs, preference of the child, any history of family abuse, and more. Separation and divorce are always best supported by an attorney in your corner to navigate the difficult legal situation.



**Kellam's Corner:** Recently, there has been a strong uptick in new COVID cases. This resulted in Governor Northam instituting new statewide restrictions on gathering sizes. As the holiday season is upon us, we anticipate and hope for many family gatherings. While many holiday memories are based on large family events, this year those events pose their own concerns. With that in mind, Parks Zeigler is being proactive to protect our employees and those with whom we interact. The firm is reinstating a "no-contact" policy effective November 23 until January 18. We've taken this step because of the expected further increase in potential exposure with holiday gatherings and this carries us 14 days past New Year's. We'll be interacting with our clients and potential clients via telephone and videoconference. We can accommodate whichever platform best suits your needs.

We're hoping for rapid progress on a vaccine so life can get back to "normal." Until then, we'll continue to monitor the situation and adjust our policies as necessary to keep everyone safe.

## *Kellam*

## *Did You Know?*

Did you know that a Norfolk FBI squad led by Joe Wolfinger cracked a Cold War-era spy ring — one of the most notorious cases of espionage in the nation's history? This was the biggest leak ever of classified Navy documents, and Norfolk's very own was able to shut it down.



*"Every child is an artist; the problem is staying an artist when you grow up."*

*— Pablo Picasso*



## PERSONAL INJURY CLAIM PROCESS

The experience of a personal injury is difficult enough with the physical pain and trauma endured. Having to worry and go through the legal process makes it that much harder. Most people will not be familiar with the injury claim process until an accident actually happens, at which point more stress is unwelcome, and healing will be your main focus.

Every accident is unique, and the extent of your injury will often determine how difficult the matter will be. However, there is a process and sequence you should follow to make things easier.

First, after any sort of accident, your health is the number one priority. Immediately seek medical treatment for the slightest sign of any injury. Not only is it important to ensure your safety for short and long-term wellness, but it's also important to track for your legal case. You should continue treatment as long as symptoms or injuries are present. Beyond endangering your recovery, any gaps in treatment will be used against you by insurance companies, as they claim this is a sign of full recovery or that you are "faking it."

It is also important you document the accident itself if you are able. This includes taking pictures, documenting the names and phone numbers of any witnesses, and any other relevant information you can gather. This can also include taking note of nearby businesses or homes with surveillance cameras or taking pictures of the tow truck at the scene— the more, the better.

When you've recovered as best as you will from the accident, we can push your claim forward. We want complete information about your bills, treatment, injuries and recovery – in other words

your "damages" - before we can try to settle your case. Without knowing all your damages, we can't tell you what your claim might be worth. When we have that information, and you've reached maximum medical improvement, we consider sending a demand for settlement to the insurance company representing the at-fault party to start negotiations. In some instances, we will also file a lawsuit immediately in order to force decisive action by the insurance company.

If a demand won't be useful, based on our experiences with the specific insurance company and circumstances of your case, or we are unable to come to an agreement with the insurance company as to a demand made, we move forward with litigation. To begin a car accident claim in Virginia, you must file a lawsuit against the party that is at fault – referred to as the "defendant" - for the incident. The lawsuit will be legally served on the defendant and they then have to respond. From there, we will push the case forward as quickly as possible, with our personal injury attorneys updating you on every step of the way.

Our firm has the benefit of having very experienced personal injury attorneys and paralegals to help our clients. They've dealt with all of the insurance companies and know how they work and have litigated hundreds of cases over their careers. If you are injured by someone, don't wait to take action, as it can harm your case or even bar you from moving forward if you wait too long. The lawsuit process can be complex - if you have any questions regarding a personal injury case, you should always contact Parks Zeigler first for your own personal interest and well-being.

*We welcome your referrals!*

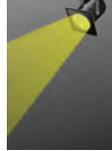
*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Who doesn't like to drink hot chocolate? My English friend sent me this recipe, which is different than the norm, but worth a try. It's called Champurrado and it's a Mexican version of hot chocolate. You'll need 8 cups of water, 5oz of piloncillo or 1/2 c sugar, 1 cinnamon stick, 2 Mexican Chocolate tablets (6.5 ounces) and 3/4 c masa harina. You can find these ingredients in your local stores, just Google them. Place 6 c water in large saucepan with the cinnamon and piloncillo. Heat until boiling, then reduce and allow to simmer for 10 minutes to allow time for piloncillo to melt. Regular sugar will dissolve more quickly. Add the chocolate tablets and allow 5 minutes to dissolve, stirring from time to time. Pour 2 c water in a medium bowl and mix in the masa harina. Mix well with an eggbeater to avoid forming any lumps. You should have a very creamy texture. When chocolate is completely dissolved, slowly pour in the masa harina mixture while stirring to make sure there are no lumps. If you get lumps, you can pour through a strainer. Turn heat to medium high until it starts to boil and then reduce heat to simmer, stirring constantly. After 6-8 minutes the mixture will thicken. You can also use milk or part water, part milk. I like to add a pinch of cayenne pepper to spice it up just a tish. Enjoy! See many other recipes on our website at <https://www.pzlaw.com/library/recipes/>.

## SMALL BUSINESS SPOTLIGHT MONSTER CLEAN



The ongoing task of cleaning is often ignored and reminds you of the negligence in a rather embarrassing manner. Suddenly you have guests at your home or business and notice just how long you have ignored the issue.

A local company, Monster Clean, provides solutions for specialty cleaning in your home or business. They specialize in carpet cleaning and restoration, tile cleaning and protection, upholstery cleaning, and even janitorial services.

Over time, tile floors get dirty as the porous surfaces become clogged and your grout is a breeding ground for bacteria that cause diseases. This is especially worrisome in the kitchen and bathroom where germs can run wild.

Contrary to popular belief, the air inside your house could be as much as 100 times more polluted than outdoors. Your home should be a safe place, and yet you could be exposed to all kinds of pollutants, germs, and allergens if you're not cleaning your tiles. It's easy to track in the dirt from outside and pet dander also collects on top of everything else.

It's also a common concern about exposure to your household products – are they harmful? Fortunately, this is not something you have to worry about with Monster Clean; they only use safe cleaners that get the job done without posing a risk to you or your family.

Focus on the big picture, while Monster Clean cleans up the small things. Monster Clean will ensure you have a welcoming and warm environment, at home or work.

## Family Corner



Geri and her daughter Krista enjoyed a beautiful weekend hiking in the mountains near JMU.



Kaitlyn's daughter, Madelyn, visited the beautiful Shenandoah Mountains.



## Black Friday

Why is the day after Thanksgiving called Black Friday and how did it get its name? Why Black? In the world of accountants, red signifies a loss, and black signifies a profit. For many retailers, the holiday sales season represents one half to three quarters of their annual sales. Many retailers are in the "red," losing money, until the holiday sales season begins. Traditionally, holiday sales formally begin on the day after Thanksgiving and Black Friday represents the turning point from a loss towards big profits for the year.

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**INSIDE THIS ISSUE:**

- Personal Injury Claim Process
- Revocable Living Trusts
- Black Friday

*Caryn's Counsel:*

The use of Revocable Living Trusts is very popular in modern Estate Planning. Revocable Living Trusts have several advantages over a traditional Will-based Estate Plan:

- Probate Avoidance Any assets in the Trust pass to your beneficiaries without the necessity of an expensive and public probate (the judicial process that “proves” the will) and court-supervised administration of your estate. If you have minor children, court-supervised administration of their assets until they are 18 or older can eat into the Trust assets and also place a larger administrative burden on your child’s trustee.
- Privacy A Trust maintains the privacy of your assets and beneficiaries as long as your assets are in your Trust at your death.
- Incapacity A Revocable Living Trust also allows your trustee to take care of your finances in the event of your incapacity. If you are unable to manage your affairs, your successor trustee can step in as trustee and manage your assets.
- Control Trusts also give you control of your assets beyond your lifetime through continuing trusts for your beneficiaries. This might be especially helpful if you have a child with special needs, an alcohol or drug addiction, or poor financial skills, or if you have a son or daughter-in-law you don’t trust.
- Immediate Succession Upon Your Death Without a Trust established at the time of your death, no one can access any of your money or other assets until an executor qualifies with the court, which could take weeks or months. Instead, your successor trustee can access your Trust assets with a copy of the Trust and your death certificate.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

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## IN THIS ISSUE:

- Stunning Bridal Gown Sculptures Capture Treasured Moments in Stone
- The Importance Of Keeping Your Estate Plan Updated
- October is Cybersecurity Month



## *Cybersecurity*

October is Cybersecurity Awareness Month. This is the perfect time to run scans on your devices to ensure that they're secure and free from viruses. It is also recommended that you change the password on your Network and update the security software on all your devices. This is your opportunity to protect your data. Be sure to check out more info on our website:

<https://www.pzlaw.com/blog/cybersecurity-and-data-privacy/>.



**Brandon's Soapbox:** Hopefully everyone is staying healthy. Are your kids settling into a manageable routine? Are their studies going well? That is one of the biggest challenges we see here.

Lots of changes are happening at Parks Zeigler. By the beginning of November, we'll have added one staff person, one paralegal, and two attorneys. Attorney Aaron Pomeranz, a/k/a "The Captain," is joining us in our Chesapeake office. Aaron's primary practice areas will be criminal and family law. He earned his nickname after retiring as a captain with the Norfolk Police Force, serving for over 24 years. We also have attorney LeeAnne Schocklin joining us. LeeAnne previously was a clerk with a Richmond-area court and worked most recently with another local civil litigation firm. She will continue her focus on civil litigation of all varieties at Parks Zeigler. As to paralegals, Kaitlyn May joined us in the Virginia Beach office to assist our busy attorneys. Lastly, but equally importantly, we welcome April Hopkins as our Director of First Impressions. April will be working at the front desk, fielding our calls, and ensuring, among other things, that every visitor to our firm is taken care of properly. Each of our new team members makes Parks Zeigler stronger and better able to service our clients timely and effectively. We welcome them all.

*Brandon*

## *Did You Know?*

In 1954, Ernest Hemingway survived two plane crashes in two days. He was presumed dead almost 24 hours later until he was spotted coming out of the jungle carrying bananas and a bottle of gin. According to numerous accounts, this wasn't the only time Hemingway had cheated death; perhaps his own truth may be stranger than his fiction.





*“Change Is The Law Of Life. And Those Who Look Only To The Past Or Present Are Certain To Miss The Future.”*

*— John F. Kennedy*

## THE IMPORTANCE OF KEEPING YOUR ESTATE PLAN UPDATED

Life revolves around change, and your estate plan is no exception. When you originally drafted your full estate plan (if you’ve already done it), you based it on the then current law, your living situation, and financial status. As time passes, your way of life adjusts accordingly. As your life evolves, it’s important to keep your estate plan updated.

Estate plans are incredibly important, and everyone needs an individual plan for his or her estate. It’s a common misconception that estate plans are just for the elderly; it’s smart for anyone over the age of 18 to have one in place just in case of emergency. There’s a good chance you’re many, many years away from actually needing an end-of-life plan, and your life will change many times before you actually need the plan to take effect. Despite this, it’s crucial to have an updated estate plan to protect your loved ones financially just in case.

In times of crisis, if your estate plan is not up to date, it will not reflect your best interests or your family’s present needs. It’s understandable that most people don’t immediately think of their estate plan when they are dealing with life changes. However, you generally need to update your estate plan anytime you undergo significant changes in your life. This can range from marriage, divorce, children, tax changes, etc.

Because of the importance of estate plans, we recommend you review yours at least every three years; however, the best practice is to have an annual review. It’s only effective if you actually remember to do it—it’s smart to mark specific dates on your calendar to ensure you really follow through with reviewing

your plan with an experienced attorney. Many people will do an annual review within the first month of a new year, or when they complete their taxes.

What you update in your estate plan depends on the state of your current plan. If it’s bare-bones and hasn’t been touched in years, you’ll most likely have to adjust most to all of the content. It’s important to sit down with an experienced estate planning attorney to detect any gaps or holes in your documents.

Remember, your estate plan is not just your will; it is a group of documents comprised of wills, trusts, powers of attorney, deeds, retirement plans, life insurance policies, and beneficiary designations.

When reviewing your estate plan, each of these items should be updated to reflect your current circumstances: children, marriage and divorce, tax changes, and changes to beneficiaries.

An estate plan is a plan that you need to maintain over time. Without proper care and maintenance, it will not represent your best interests or financially pan out how you anticipate. An out of date estate plan may negatively impact your family in a time of crisis. A thorough, updated plan created through research and help from an estate planning attorney should give your family peace of mind and protect them financially.

If you, or a loved one, would like to discuss your estate planning need, please call 757-453-7744 to schedule a consultation or visit our website [www.pzlaw.com](http://www.pzlaw.com).

*We welcome your referrals!*

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## Deb Dishes:

This month Jackie made Baked Chicken Pasta in Buttery White Sauce. You will need 2c penne pasta, 2 boneless skinless chicken breasts, 3 Tbsp. flour, 1/3c breadcrumbs, 1/4 tsp garlic powder, 1/4 tsp onion powder, 1/4 tsp dried thyme, 1/4 tsp dried rosemary, 1/4 tsp dried oregano, salt and pepper, 2 Tbsp. olive oil, 2 Tbsp. unsalted Plugrá® butter, 1/4c white wine, 1c chicken stock, 1.5c heavy whipping cream 1/2c grated Parmesan Cheese. Preheat the oven to 375F. Cook pasta, drain and set aside. Mix together flour, breadcrumbs, garlic powder, onion powder, thyme, rosemary, oregano, salt and pepper. Pat chicken breast dry with a paper towel, then season with salt and pepper, to taste. Dredge chicken breast in breadcrumbs. Preheat olive oil on a medium heat in oven-proof skillet. Add chicken and sear for about 3 minutes on both sides. Remove chicken. Using the same skillet, on medium heat, add 2 Tbsp. of Plugrá® butter. After butter melts add 1 Tbsp of flour and stir for 1 minute. Pour in white wine stirring for about 1-2 minutes, or until reduces in half. Add chicken stock, bring to a boil and cook on medium heat for 3-4 minutes. Season with salt and pepper, to taste. Stir in heavy whipping cream. Mix cooked pasta into the sauce & place chicken over the pasta, then sprinkle with parmesan cheese. Bake uncovered for about 12 minutes, or until chicken is no longer pink inside. Garnish with fresh parsley. Enjoy! See this recipe, and many others, on our website at <https://www.pzlaw.com/library/recipes/>.

## SMALL BUSINESS SPOTLIGHT STONEWEAR CERAMICS



### STUNNING BRIDAL GOWN SCULPTURES CAPTURE TREASURED MOMENTS IN STONE

In addition to graduations and birthdays, weddings headline the list of personal, heartfelt celebrations impacted by the 2020 Health Crisis — leaving a generation of brides and their families searching for safe, meaningful ways to share some of the magic meant for their special day. Fortunately, that’s exactly what Erika Hitchcock, a local teacher, artist, and community arts advocate, intends to provide through her new businesses, StoneWear Ceramics.

StoneWear Ceramics, the vibrant new businesses on the local Virginia Beach Creative Arts scene, specializes in creating custom, ceramic replicas of bridal gowns and special event dresses. Founder, artist, and ceramic sculptor, Erika Hitchcock, designs each piece to capture the finest details of the original gown and to reflect the beauty of the woman who wears it.



Following a fun, exciting, initial phone consultation to discuss design details, Hitchcock sculpts each gown by hand, using premium-quality, stoneware-grade clay. Each sculpture is hand-glazed, painted, embellished, and fired — creating a completely custom, heirloom-quality replica, thoughtfully-designed to celebrate the bride herself, instead of subscribing to a generic form or single body type. These one-of-a-kind pieces are made to preserve your most treasured memories in stone — and celebrate the beauty of love that lasts a lifetime.

Interested in learning more about StoneWear Ceramics’ custom bridal gown replicas? Visit [www.stonewearceramics.com](http://www.stonewearceramics.com).

## Family Corner



Ashley’s boys spent a day at the petting farm with the baby goats.



Deb’s youngest grand baby, Rae, turned 1 this month. She is a happy baby who loves Mickey Mouse like her Grams!



## ONCE IN A BLUE MOON

This month started with a Hunter’s Moon on October 1 and will end with a rare blue moon on the 31st. It’s called a Blue Moon because it’s the second full moon in the same month. And to make it even rarer, this is the first time since World War II that people in all parts of the world will be able to see the blue moon. Not many better ways to start an evening than watching the moon rise over our beautiful waters. So please mark your calendar and get outside (bring an appropriate beverage). Hopefully, the weather will cooperate, so we all can have a magnificent window to the wonder that is Mother Nature.

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**INSIDE THIS ISSUE:**

- Stunning Bridal Gown Sculptures Capture Treasured Moments in Stone
- The Importance Of Keeping Your Estate Plan Updated
- October is Cybersecurity Month

*Personal Injury Pointers:*

No one ever plans to be in a traffic accident. In the event that you are, we have outlined some tips below to protect yourself.

**GET CALM** – Before doing anything else, take a moment to get calm.

**CHECK FOR INJURIES** – Never move someone who appears to have a back or neck injury; call for help if there are serious injuries.

**MOVE OUT OF THE ROADWAY** – Don't let one collision be a continuing hazard to your health – move yourself and/or your vehicle (if drivable) out of harm's way. Alternatively, deploy orange reflective triangles or road flares if you have them in your possession.

**ACCEPT MEDICAL CARE IF NEEDED** – If you have any question as to the severity of your injuries and feel as if you may need medical treatment or EMS transport, accept the medical care that is offered to you.

**DON'T HESITATE TO CALL THE POLICE** – If you are uncomfortable with any aspect of the situation call the police to investigate. Police will not prepare a report for minor property damage only, in many cases, but they will for collisions with injuries or serious property damage.

**GATHER INFORMATION/PHOTOS** – Safety, health, and well-being come first – but after making sure you are secure as to those priorities take some time to gather information. Not everyone takes responsibility for their mistakes out on the road! Be sure to get the following information: Date and time, Location, Name of the other driver, Phone (home/mobile/work), Address, City, State, Zip, License plate number/state, Driver's license number/state, Insurance company, Policy number, Name of witness(s), and Phone number of witness(s).

**TAKE PHOTOS OF THE ACCIDENT**

**STAY SAFE** – Traffic, fire, injury, debris, and weather all pose continuing risks.

**STAY SMART** – Be courteous but do not admit fault.

**VERIFY WHO IS THE VEHICLE IS REGISTERED** – Vehicles may be borrowed, rented, etc. Be sure that the insurance information (VIN, make, model, etc) presented to you matches each vehicle in question.

**WHEN DO YOU NEED AN ATTORNEY?** – If the accident involves an injury that requires a trip to a doctor, you should consult with an attorney about your legal options.

Please contact our office for an Automobile Accident Checklist to keep in your glovebox.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

September 2020 Newsletter | VOLUME 9 - ISSUE 9 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Virginia Beach Surf and Rescue Museum
- How Virginians Can Vote in the November 2020 Election
- Free Weekly Credit Reports



## Credit Reporting

Covid-19 has brought financial stress and uncertainty to many over the past few months. It is important to plan and manage your finances accordingly. Equifax, Experian, and Transunion now offer free weekly credit reports through April 2021. Prior to this, you were only allowed one free report every 12 months from each credit bureau. Be sure to look for any errors and consider appropriate legal action if necessary. Download the Credit Report Request Form from our website at [www.pzlaw.com/library/Credit\\_Report\\_Request\\_Form.pdf](http://www.pzlaw.com/library/Credit_Report_Request_Form.pdf)



**Kellam's Corner:** Back to school time - what a difference a year can make. Those with school-age children here at the firm are experiencing what many of you are regarding the challenges COVID-19 has brought. We hope that the beginning of the school year has been as smooth and successful as possible.

The Parks household is fortunate that our daughter, Avery, graduated ODU last December, so we don't face these schooling challenges. Of course, Avery opened a dance studio in Virginia Beach (Studio 17 Dance) in February, right before the pandemic, so there's that. We count our blessings that everyone is healthy and safe and hope the same is true for all our friends and clients.

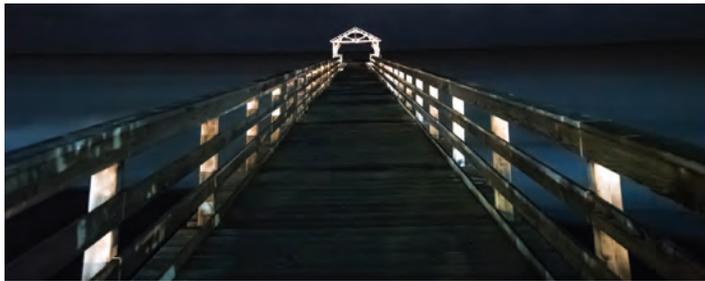
On the firm front, we have a few announcements in the coming months, so stay tuned.

*Kellam*

## Did You Know?



While driving through Hampton Roads, you have surely noticed that the bottoms of many ships in the area are painted red. There are two reasons: tradition and defense. Not the usual defense of a military vessel, but rather a method to prevent micro-organisms from growing beneath the water that would create drag and make the ship inefficient. Early sailors countered this with copper paint on the hull, resulting in the staple, two-tone look.



*"BELIEVE YOU CAN AND YOU'RE HALF WAY THERE."*

*— Theodore Roosevelt*

## HOW VIRGINIANS CAN VOTE IN THE NOVEMBER 2020 ELECTION

As the November 2020 election approaches, COVID-19 has made a significant impact on changes to standard voting methods for citizens across the country. There has been a lot of information shared about issues with in-person and mail-in voting this November; it may be difficult to distinguish fact from fiction. Every vote counts— we want to share recent Virginia voting regulation changes and all the ways Virginians can vote on November 3.

### Several new voting laws took effect July 1, 2020:

- Election Day is now a state holiday in Virginia
- The requirement for voters to show a voter ID card prior to casting a ballot has been removed
- Early voting has been expanded to 45 days before the election without requiring the citizen to provide a reason
- Changes to standard voting measures, as several different voting method options have been enacted to allow citizens to safely vote during the pandemic (vote by mail & early in-person voting)

### Here are some important dates to remember for the 2020 election:

- September 19, 2020: Early voting period begins
- October 13, 2020: Deadline to register to vote online, in person, and in-person early
- October 23, 2020: Deadline to request a ballot by mail. The request must be received by the local election official by 5:00pm
- October 31, 2020: Early voting period ends. Deadline to request an absentee ballot in person
- November 3, 2020: Election Day

### Vote in Person on November 3, 2020

Despite COVID-19 impacting voting for the 2020 election, it is still possible to vote in person on Election Day in Virginia. To find your polling place or check your registration visit Virginia's voting site. To vote in Virginia, a valid form of ID is required; however, there is an option available for those without ID. A valid form of ID can be:

- Voter confirmation documents received after registration
- A valid U.S. Passport
- DMV-issued ID Card or Driver's License
- A student ID card from any U.S. community college or university, or Virginia public or private school
- An ID card issued by the U.S., Virginia, or local Virginia government
- A current utility bill, government check, bank statement, or additional government document that states a name, address, etc.
- Photo ID card from place of employment
- An ID Confirmation Statement

If you do not have a valid form of ID, you have two options: sign an ID Confirmation Statement or fill out a provisional ballot. If you fill out a provisional ballot, you will either have to sign an ID Confirmation statement or be given written instructions from the electoral board on how to deliver a copy of a valid form of identification to your local electoral board by the Friday following the election at noon in order for your vote to be counted. If the valid form of ID is not received by noon that following Friday (despite the postmark), your vote will not be counted.

We have detailed information on your options along with some pros and cons on our website at <https://www.pzlaw.com/blog/every-vote-counts-in-the-november-2020-election.cfm>.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Sometimes just the name of a recipe catches my eye and I must try it. Such is the case of Pennsylvania Dutch Chocolate Funny Cake! It starts with pie crusts, a cake layer and gooey chocolate. Gather the following ingredients: Pie- 2, 9" deep dish pie crusts. Cake - 2 c flour, 2 tsp baking powder, 2 c granulated sugar, 1/2 c vegetable shortening, 2 large eggs, room temperature, 1 tsp pure vanilla extract, 1 c whole milk. Chocolate - 1 c sugar, 1/3 c unsweetened cocoa powder, 1 c boiling water, 1/2 tsp pure vanilla extract. Preheat oven to 375°. Cake-in a medium bowl, whisk together the flour and baking powder. Set aside. Using a mixer on medium-high, cream sugar and vegetable shortening together until blended. Add in the eggs and vanilla extract and mix until combined. Reduce the mixer speed to low and alternate between adding the dry mixture and milk. Mix until just combined, then set aside. Chocolate - in a medium bowl, whisk together the granulated sugar and unsweetened cocoa powder. Slowly pour in boiling water and add vanilla extract. Stir continuously until cocoa powder is fully dissolved. To make transfer to oven less messy, place the pie pans on a baking sheet before filling. Divide and pour the cake batter into the 2 unbaked 9" pie crusts, then divide and pour the chocolate layer over top of each. Bake for 40-50 minutes or until a toothpick inserted in the center of the cakes comes out clean. See the full recipe, with pie crust, on our website at <https://www.pzlaw.com/library/recipes/>.

## VIRGINIA BEACH SURF AND RESCUE MUSEUM

Anchored in a central location on the East Coast, Virginia Beach has a rich history of maritime preservation, innovation, and economic growth. This is very apparent throughout the city with historic statues and current vessel traffic, but nothing captures the nautical heritage quite like the Virginia Beach Surf and Rescue Museum.

Although the current building was originally built in 1903, the foundation dates back to 1878 as a small life-saving service station. The service became so successful that it gained enough momentum and funding to eventually merge the United States Life Saving Service with the Revenue Cutter Service to form the United States Coast Guard in 1915.

Shipwreck displays are plentiful at the museum. This includes the fascinating story of the Diktator wreck as well as many others that fell victim to what is infamously known as the Graveyard of the Atlantic, which also was home to Marine Electric Tragedy in 1983 that resulted in the creation of the USCG Rescue Swimmer.

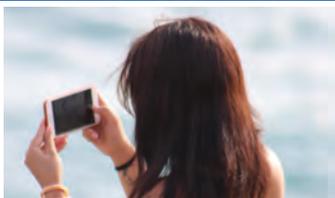
The exhibits change often and offer plenty of knowledge with everything from surf culture and the evolution of swimwear and style, to Virginia Beach's role in the global shipping industry. The journey extends outside of the museum with a spooky ghost walk for a spirited tour on the boardwalk led by a costumed guide that offers an incredibly unique experience.

Navigate local history at The Virginia Beach Surf and Rescue Museum and discover the coastal treasures and legacy that it holds. For more information, visit their website at [vbsurfrescuemuseum.org/](http://vbsurfrescuemuseum.org/)

## Family Corner



Here are a few of our PZkids as they head back to school this year. Good Luck to all the students, teachers, and staff.



## September is National Save Your Photos Month

When a natural disaster, digital malfunction, or human error occurs, treasured memories are lost forever. Save Your Photos Month reminds us to back up our digital pictures and scan/save our vintage photos. We recommend you back up your digital photos on a regular basis to either an external (jump) drive, or the cloud. Include dates, names, ages, and locations of the photos. Ask family members about old photos now before the information is lost.

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*Allison's Adage:*

This seems to be the question of the hour these days. Some parents want their children to go to school in person as soon as possible, while others would prefer their children to go virtually for as long as possible. What happens when parents cannot agree? Does the primary parent get to choose?

When parents have joint legal custody, they have equal decision-making authority when it comes to educational and medical decisions involving their children. Just because one parent has primary physical custody does not mean they get to exclude the other parent from educational decisions. When there is a disagreement, the parents should do their best to communicate their position to the other parent and engage in a mature discussion to hopefully come to a mutually agreeable decision. If you are unable to reach a consensus, neither parent should just ignore the other and forge ahead with what they want to happen. Making unilateral decisions will only make co-parenting worse in the future. However, court is not always the answer either, especially when time is of the essence. So, what options do you have?

- Mediation
- Family Therapy or Co-Parenting Counseling
- Counseling with your Pastor or other religious counselor
- Parenting Coordinator

Whatever method you use to reach an agreement, showing your children that you and the other parent are united in the decision will go a long way. This situation is stressful to children too. When parents disagree, often the children are caught in the middle which only causes them more stress. Doing what is best for your children should be more important than getting your way.

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August 2020 Newsletter | VOLUME 9 - ISSUE 8 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Capital One Fined \$80 Million for Data Breach
- Ride The Rox To DC or Charlottesville
- Small Business Formation



## *Small Business*

Prior to starting a small business, it is important to understand your options for establishing the structure of your company. This determines how it is owned, managed, and taxed, as well as if you will have personal liability. If you do not utilize a formal business entity, your business will either be a sole proprietorship (with one owner) or a general partnership (with more than one owner). Legally, you and your business will be the same "person," and you will be personally liable for all debts and lawsuits. To limit your liability, you can form an entity, such as a corporation, limited liability company, or limited liability partnership. These options protect your personal assets and your losses are limited to the amount you have invested in the company and any personal guarantees. In order to protect yourself, we recommend that you consult a business attorney to discuss your options.



**Brandon's Soapbox:** As summer winds down, many parents, including me, are facing new and difficult choices about how our children will resume their education. Deciding between in-person (if offered), virtual learning, or a hybrid scenario is a difficult task and even more complicated when trying to co-parent. We wish every student the best of health this upcoming year.

The courts are slowly reopening with Norfolk being the first local city to begin jury trials. The first one is set for September 14th. Strict guidelines will be put in place to protect the people entering the courthouse. Face coverings will be required for all persons, and all persons who will be in the courtroom the entire time (lawyers, paralegals, court reporters, jurors), will have their temperatures scanned by court personnel when they initially report. Any person having a temperature of 100.5 degrees or higher will not be admitted into the courthouse. In the time since the COVID pandemic began, we have worked diligently to prepare your case for when we are once again granted access to the courts.

*Brandon*

## *Did You Know?*

For decades the "Jeep Wave" has been a way for Jeep owners (Jeepers) to greet each other and have a little fun while driving. A Jeep wave typically is raising the of two fingers off the steering wheel when passing a fellow Jeep but also can be an actual wave of the hand out the window (or door). The wave is primarily reserved for certain Jeep models, namely the CJ, YJ, TJ, and JK.





*"The future is no more uncertain than the present."*

*— Walt Whitman*

## **CAPITAL ONE FINED \$80 MILLION FOR DATA BREACH - WHY YOU SHOULD CARE**

**Why the largest bank in Virginia was just fined \$80 million and why you should care:**

In March 2019 Capital One suffered a data security breach in which the social security numbers, bank account numbers, and credit card applications of over 100 million people were compromised when a software engineer from Seattle hacked into the bank's servers.



The hacker, a former Amazon employee, was arrested in July 2019 and is currently facing federal criminal charges. If Capital One was the victim of a crime, why was the bank fined \$80 million by federal bank regulators, and how does this affect you?

We provide our personally identifiable information (i.e. name, birthdate, social security numbers, etc.) to banks, medical care providers, insurance companies, credit card companies, wireless service providers, and countless others. Most of us provide that information will give little thought about what happens to it after sharing because we trust that it will be safeguarded appropriately. After all, these companies and service providers are obligated by federal and state laws to take precautions to protect your information.

In this case, federal banking regulators found that Capital One engaged in unsafe and unsound information technology practices which failed to adequately protect customer information in its cloud environment. Specifically, the regulators found that in 2015 Capital One failed to establish an enterprise-wide risk management program prior to migrating its information technology operations to the cloud operating environment. Capital One did not implement sufficient network security controls, data loss prevention controls, or effective alerts. Further, the Federal Reserve Bank of Richmond had previously identified deficiencies in Capital One's risk management program and Capital One failed to correct them.

As a result of these findings and its shortcomings, Capital One agreed to pay an \$80 million fine. It will also be required to submit written action plans to address the cybersecurity deficiencies and status reports on the progress of the implementation of the new security measures to federal regulatory agencies, including the Federal Reserve Board.

For details on what you can do to help protect your data, how to keep your information secure online, what to do if you are a victim of a data security breach, and many more questions, visit our website at <https://www.pzlaw.com/blog/capital-one-fined-80-million-for-data-security-breach.cfm>

If you, or a loved one need to file a legal claim under the Fair Credit Reporting Act, call us at 757-453-7744 to schedule a free credit report consultation.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Our family loves making and decorating sugar cookies.... all year long! Here is an alternative sugar cookie recipe for a slightly different taste. Take 1 c butter, softened, 1 c sugar, 1 egg, 2 tsp vanilla extract, ½ tsp almond extract, ¾ tsp salt, 1 1/2 tsp baking powder, 1/8 c sour cream, 1/8 c buttermilk, 3 tbsp cornstarch, 3 c flour. Cream together butter and sugar until light & fluffy. Add egg, vanilla, almond, salt & baking powder, mixing well to combine. With the mixer on low, add half the sour cream, buttermilk, then the cornstarch followed by half of the flour. Add remaining sour cream and flour, mixing just until incorporated. Divide dough into two flattened balls and wrap in plastic to refrigerate at least one hour or freeze for fifteen minutes. Roll out chilled dough on a floured surface, approx. ¼" thick. On a greased baking sheet or ungreased cookie mats, bake at 350° for 8-10 mins, but not browned. Great plain or decorate with icing & sprinkles! If you do not have buttermilk you can take 1 tbsp of white vinegar to one scant cup of whole milk. It will thicken and curdle slightly, which means it worked. You can find the recipe to make this and many other delicious dishes on our website at <https://www.pzlaw.com/library/recipes/>.

## THE ROX

There's a new bus in town! The ROX is a no-stress way to travel between Virginia Beach and Washington D.C. or Virginia Beach and Charlottesville. The ROX luxury motor coach features spacious leather seats with footrests, friendly service attendants, complimentary meals and snacks from Hampton Roads gourmet favorite TASTE and a full beverage menu with over 30 selections of craft beer, wine, and cocktails. Entertainment options include free, robust WiFi, movies, TV shows, and more.

ROX COVID-19 protocols include the use of masks, no contact temperature checks, enhanced cleaning, disinfecting, and fogging procedures while leaving aisle seats unsold. Designed with just 22 seats compared to the 56-plus in an average passenger bus, ROX has limited seating to 15 passengers, allowing adequate social distancing between each guest.

The Virginia Beach hub is located at The Westin Hotel Virginia Beach Town Center, the DC hub is located at Macy's Department Store at Pentagon City, and the Charlottesville hub is located at The Omni Charlottesville Hotel on the Main Street Mall.

ROX is available for group bookings and private charters, too. For more information, and to purchase tickets, visit their site at <https://ridetherox.com/>.

### 2021 Best Lawyers®

We are pleased to announce that six of our lawyers have been included in the 2021 Edition of The Best Lawyers in America. Since it was first published in 1983, Best Lawyers has become universally regarded as the definitive guide to legal excellence. Attorneys are reviewed by their peers on the basis of professional expertise and undergo an authentication process to make sure they are in current practice and in good standing. Congratulations to:

- Allison W. Anders** - Family Law
- David L. Littell** - Commercial Litigation
- Kellam T. Parks** - Commercial Litigation and Family Law
- Caryn R. West** - Trusts and Estates
- Shelly F. Wood** - Family Law
- Brandon H. Zeigler** - Commercial Litigation, Family Law, and Litigation - Real Estate



## Family Corner



Deb was able to enjoy some summertime fun with all 7 of her grandchildren.



Ashley's boys enjoyed a fun day at the Bay.



## SHRIMP TACOS

Burgers are great but shrimp tacos are better! I (Brandon) love to grill and there isn't anything faster and easier than Grilled Shrimp Tacos for a light summertime dinner. I start with fresh, North Carolina wild caught shrimp and toss them in a seasoning mixture of paprika, garlic powder, oregano, cumin, red pepper flakes, and sea salt. Right before I put the shrimp on the grill, I brush each skewer with a generous amount of olive or avocado oil, so the shrimp don't stick. Grill for three minutes, brush the top side with more oil, flip and let cook for an additional three minutes. I prefer corn tortillas that I quickly toast on the grill and top the shrimp with homemade red cabbage slaw, fresh cilantro, and a squirt of lemon. Add a cold beer and Enjoy!

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*Kellam's Tech Tips:*

I came across a good article recently discussing top Windows 10 Tips and wanted to share those I have found most useful.

- Snap Windows – Use the **Windows Key (WK) + the right or left arrow** to move the active window across your monitors (it will travel across as many as you have). Each click will move the window one position and “snap” it into half the screen. Incredibly useful.
- Minimize all but active windows – If you click the title bar of the active window, hold down your left mouse button, and shake the mouse side to side, you’ll minimize every window but the one you selected.
- Alternate Start Menu – Click the **WK + X** to access a second Start Menu (the usual one is accessed from just the WK). It includes the Control Panel, Task Manager, and Command Prompt.
- Open Taskbar Items – You can start a program pinned to your Task Bar with a keyboard command; **WK + [Number Key]** – choose the number of the position on the Task Bar and it will open.
- Remove Ads – You may see “suggestions” by Microsoft to the right (they are just ads for Apps). To remove them go to **Settings>Personalization>Start** and toggle the setting called **Show Suggestions occasionally in Start** to the off position.
- Focus assist – You can selectively receive notifications when you want to focus. Go to **Settings>System>Focus assist** and choose one of the three options (**Off, Priority, and Alarms**)

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July 2020 Newsletter | VOLUME 9 - ISSUE 7 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- New Virginia Laws
- Virginia Legends Walk
- Sahara Desert Dust Storm



### *Family Law*



During these unprecedented times of social isolation, increased social media posting can have a negative impact on your legal case. Do not make posts that are negatively directed to your former spouse or soon-to-be former spouse. Posting pictures of you drinking or partying could be used against you in a custody case. Posting pictures of new purchases and vacations may result in arguments regarding spousal or child support. Be careful with your social media postings!



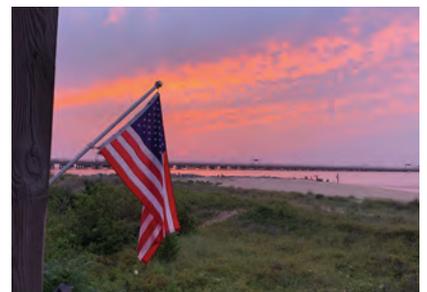
**Kellam's Corner:** While certainly a challenging year for the usual 4th of July celebrations, we hope everyone had a safe and enjoyable holiday. The Parks family went down to OBX that week for our annual vacation and, while a little different than normal, was still an enjoyable time away.

On the firm front, we're continuing to serve our clients in this challenging time. The Virginia Supreme Court recently further eased court restrictions; reinstating regular deadlines on July 20 and leaving it up to each court as to how to handle hearings & trials. We continue to monitor all of the local courts and push our cases forward, in person as much as possible.

*Kellam*

## *Did You Know?*

If you have noticed hazy skies during the day, reduced visibility, and degraded air quality recently, it isn't your vision. We recently experienced a round of Saharan dust in Hampton Roads. Did you know that dust from the Sahara Desert tends to prevent tropical storms and hurricanes from developing? Tropical storms need moist air and calm upper level winds to form. The lack of moisture and increased winds are not conducive for tropical storm development. Another benefit is the beautiful, colorful, sunsets that you have been seeing recently.





*"LIVE IN THE SUNSHINE, SWIM IN THE SEA.  
DRINK IN THE WILD AIR."*

*— Ralph Waldo Emerson*

## NEW VIRGINIA LAWS IN EFFECT JULY 1ST

Hundreds of new laws in Virginia went into effect July 1st. Here is a sample list of a few new laws that could affect your life, with links to the laws and a few articles we've written about some of the law changes:

**Family Law** - The Virginia Legislature has had an extremely productive 2020 legislative session with numerous bills passing both chambers of the legislature. [Click here](#) to review a summary we've prepared on the major changes to the domestic relations laws in Virginia that took effect on July 1st.

**Casino gaming and sports betting** - Casino gambling will now be legal in five Virginia cities: Bristol, Danville, Richmond, Norfolk, and Portsmouth. Sports betting will be regulated by the Virginia Lottery. Betting on in-state colleges will be prohibited. <https://bit.ly/39D9vyE> and <https://bit.ly/314kZai>

**Driver's license suspension** - Licenses will no longer be suspended for unpaid fines and court costs. Licenses suspended because of court fines or costs prior to July 1, 2019, will be reinstated. <https://bit.ly/2D2eM6X>

**Education** - Principals no longer are required to report misdemeanors committed at school to police. Parents will get at least 24 hours-notice before a school holds a lockdown drill. <https://bit.ly/3hLmS2o> and <https://bit.ly/338RPcN>

**Firearms** - New requirements call for a background check on all firearm sales and a limit on handgun purchases to one a month. A lost or stolen gun will need to be reported within 48 hours. <https://bit.ly/2X8GV3e>

**LGBTQ Protections** - Virginia added sexual identity and gender identity to its protected classes, making it illegal to discriminate in housing, employment and public accommodations. In addition, conversion therapy on minors will be banned. <https://bit.ly/335USTf> and <https://bit.ly/315AAqt>

**Late payments on rent** - Landlords cannot charge late fees unless one is specifically listed in a written rental agreement. <https://bit.ly/3gcgrFi>

**Marijuana decriminalization** - People found in possession of under 1 ounce of marijuana will face a \$25 civil fine; there will no longer be jail time or a criminal conviction. Criminal records of previous simple possession convictions will no longer be made public. <https://bit.ly/3ggSVWej>

**Reckless Driving** - The threshold for a reckless driving charge raised from 80 mph to 85 mph. Drivers can still face a reckless driving charge if they are caught going 20 mph over the speed limit. <https://bit.ly/39EHDkx>

**State Holidays – Elections** - Election Day is now an official state holiday in Virginia. <https://bit.ly/334Hv5M>

**Statute of limitation for sexual abuse** - Sexual abuse victims can bring action against their attacker within 10 years of the incident. <https://bit.ly/339G8Tq>

**Voting** - Voters will no longer need to show a photo ID at polls but will be required to show other documents that show the name and address of the voter. For absentee voting, voters will no longer be asked to state an excuse. <https://bit.ly/3fhRHtT> and <https://bit.ly/335Vwo7T>

**Tethering animals outdoors** - Dogs can't be tethered outside in temperatures 85 degrees Fahrenheit or higher, or 32 degrees Fahrenheit or lower. A Tether must be 15 feet in length or four times the length of the animal. Dogs must ALWAYS have food, water, shelter, exercise, space to move around, and veterinary care. <https://bit.ly/3fb8ZsD>



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### *Deb Dishes:*

Its summertime and no one wants to be in the kitchen, cooking with a hot oven. Since my grill is in the backyard, I opted for a quick grilled burger fix. Burgers can be a culinary exploration you can repeat daily and never have the same taste experience twice. Our folks made the “Popsie” burger many, many years back. Make two thin patties, fold up a good ole Kraft American cheese slice, place in the middle and seal the two burgers together before grilling. Nothing like biting into that burger and tasting gooey melted cheese goodness. Our Mom would make a tray of fixings made of sliced tomatoes, lettuce, onions, pickles, mustard, ketchup and mayo/miracle whip. Everyone was free to pile on their favorite toppings, and sometimes Popsie would even toast the buns with a tish of butter. You can try seasoning your burger with steak sauce, taco seasoning, everything seasoning (think bagel), salad dressing, or even adding chopped jalapenos before cooking. I made my Popsie burger, topped it with shredded cabbage for extra crunch, and spooned on spicy salsa. Burger possibilities are endless! Rachel Ray is the queen of burger creations and alternatives to beef burgers. Drop us a line on FaceBook at [www.facebook.com/PZLaw](http://www.facebook.com/PZLaw) and let us know what your favorite burger creation is! See many recipes for sides and desserts on our website at <https://www.pzlaw.com/library/recipes/>.

## **VIRGINIA LEGENDS WALK**

Virginia Beach offers many attractions that we often overlook, and for history buffs one such attraction is the Virginia Legends Walk. This self-guided tour is dedicated to great Virginians from the past and present who have in some way made a big impact on our Commonwealth and country. These legendary Virginians have either been born in Virginia or taken up residency long enough to be considered a true Virginian.

The walk is located near the oceanfront at the 13th Street Park, between Pacific and Atlantic Avenues. There is a stone archway identifying the entrance leading to a beautifully landscaped, paved walkway. The walk is free and open to the public and you can wonder at your own pace.

Some of the famous names honored on the walk are Edgar Allen Poe, President George Washington, Patsy Cline, Pocahontas, Chief Powhatan, Captain John Smith, and Doug Wilder, America’s first elected black governor.

Plans are in the works to expand the walk to the oceanfront boardwalk, making room for even more inductees. Inductees can be nominated by anyone, but are chosen by various heads of historical societies, presidents of colleges, and heads of public libraries, as well as other outstanding figures in Virginia. There is an annual event announcing the newest additions to the Legends Walk.

If you haven’t had the opportunity stroll along the walk, we recommend you do so next time you are near the oceanfront. The walk is pet friendly so no need to leave your pup at home. <https://www.va-legends.com/>.

### *Family Corner*



Ambir’s oldest son, Wyatt, graduated from Kellam High School in June. It certainly wasn’t a typical senior year – no prom or class-wide graduation ceremony - but that didn’t stop Wyatt from enjoying every minute of it.



Deb celebrated the 4th of July with her son and his family at their new home in the western part of Virginia.



### *Trio Restaurant & Market*

Having just come back from my (Kellam) OBX vacation, I wanted to share a great little place in Kitty Hawk, NC. Trio Restaurant & Market is at milepost 4.5 on the Bypass. It has an eclectic and substantial offering of beer, wine, and cheese (with accompanying crackers/meats). You can dine in for wine self-pours or beer on tap, or grab cheese-to-go from their gourmet cheesemonger. We elected to grab a selection to make our own charcuterie board and enjoyed every bite with accompanying wine at the beach house. If you’re down that way, I recommend checking them out!

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**INSIDE THIS ISSUE:**

- New Virginia Laws in Effect July 1st
- Virginia Legends Walk
- Sahara Desert Dust Storm

*Allison's Adage:*

As school districts begin to announce their plans for fall, it appears that many are seriously considering or have already selected virtual classrooms at least for the first few months. These are extremely hard times on families, especially those navigating separation or divorce. It is important to remember that your children are also struggling with the uncertainty, and while many will thrive, others will struggle. Below are some tips to get the most out of virtual learning.

1. Set up a routine – Children benefit from a solid routine in a classroom and the same is true for online learning. Set a timetable for your child and stick to it.
2. Hardware requirements – Check with your school to see if it can accommodate your children if you do not have the equipment or access required for a successful learning environment.
3. Online safety – Monitor your children's online activities to protect their personal information and whereabouts.
4. Keeping children motivated and engaged – It is easy for children to feel disconnected and difficult to keep them engaged.
5. Monitoring progress – Keep track of your children's progress, set milestones, and give rewards.
6. Be a team! – This is the perfect time to work together. Make sure to discuss assignments, milestones, and rewards with your children's other parent and develop a plan you can both adhere to.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

June 2020 Newsletter | VOLUME 9 - ISSUE 6 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Bicycle Accidents
- Summer Solstice
- The 7 Steps To A Complete Estate Plan



## *Estate Planning*



The key to making a complete estate plan is preparation. Understanding the process, thinking through what you want, and gathering the necessary information is vital to success. We have created a guide to get you started and help you prepare for your meeting with our estate planning attorney. Download your free guide, The 7 Steps To A Complete Estate Plan – Client Worksheet at <https://www.pzlaw.com/reports/estate-plan-client-worksheet.cfm>



**Brandon's Soapbox:** As Virginia is making plans to move into the third phase of reopening, we are closely watching activities in the court system and tracking our cases daily. All non-essential, non-emergency court proceedings are suspended through July 19th, although effective June 29th, courts may resume hearing all unlawful detainer actions and issuing writs of eviction.

Our offices have remained open, and our staff did a fantastic job of adjusting to our "new normal." We continue to offer appointments electronically via phone, video chat, or email. We are also now seeing clients that request an in-person meeting in our offices. In keeping with State Executive Order 63, we do require all persons to sanitize their hands and wear a mask before entering our offices.

## *Brandon*

## *Did You Know?*

It is illegal to fish with goldfish in Virginia. If you are caught fishing with feeder goldfish or any other illegal bait fish there is a minimum \$120.50 fine, and you can be fined an additional \$20.00 - \$50.00 per illegal bait fish.





*"The biggest adventure you can take is to live the life of your dreams!"*

*— Oprah Winfrey*

## BICYCLE ACCIDENTS

Unfortunately, bicycle accidents in Virginia are more common than most think. In 2018, there were 633 reported bicycle accidents, and in 593 of those accidents, bicyclists were injured. A large percentage of bicycle accidents occur at no fault of the cyclist. The most common bicycle accidents occur because of a lack of room on the road—drivers of other vehicles don't adhere to sharing the road guidelines, or they fail to yield to bicyclists. Cyclists are required to stay on the right side of the road by law, but they are entitled to the use of the road as much as any other vehicle. Additionally, accidents are caused by poor street lighting, lack of safe sidewalks for bicyclists, and multiple other factors the bicyclist has no control over.

### Common Injuries Sustained in Bicycle Accidents

Injuries sustained in bicycle accidents can be minor with small cuts and bruises, or incredibly dangerous, even fatal. If you were injured in a bicycle accident, chances are your injuries are more serious—bicyclists are at higher risk for sustaining serious injuries in crashes because bicycles provide riders with little protection.

Some of the most common injuries sustained in bicycle accidents are:

- Head or brain injury
- Neck injury
- Spinal injury
- Facial injury, facial reconstruction

### Bicycle Accidents Involving Children

Children riding bikes on roads requires vehicle operators to drive with extreme caution. Unfortunately, children are involved with a large percentage of bicycle accidents involving cars. Drivers in

Virginia are expected to drive with an appropriate duty of care around children. For example, a driver who sees a child on a bike knows or should know that a young child may make rash decisions while riding a bike, like crossing into the street, or falling off their bike if they get scared. Further, the model jury instructions – instructions of law that are given to jurors deciding cases in Virginia – anticipate this issue. A jury hearing a case involving the child might be instructed that:

*If you believe by the greater weight of the evidence that the defendant saw, or in the exercise of ordinary care should have seen, the plaintiff near the scene of the accident, then the defendant had a duty to consider that the child might, upon childish impulse and heedless of danger, put himself in a position of peril. It then became the duty of the defendant to use the degree of care a reasonable person would use under the circumstances of this case.*

A bike accident involving your child is incredibly serious and scary. As a parent, you are most likely terrified, frustrated, and anxious for your child while they recover from any injuries sustained in an accident. In bicycle accidents with children, the age of the child is relevant. If your child is young, how could they know any better? The law defines the rules for "contributory negligence" of children based on their age.

If you, or a loved one, has been in a bicycle accident, contact us so that we can assist you and your family. Visit our website [www.pzlaw.com](http://www.pzlaw.com) or call 757-453-7744 to schedule a free personal injury consultation.

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## Deb Dishes:

During these hot summer days, it's nice to have something cold to enjoy while at the beach or on your deck. Caryn found this refreshing recipe from Wegmans that fits the bill nicely. Cucumber, Blueberry & Feta Salad. Combine 2 seedless cucumbers, peeled, halved lengthwise, seeded, thinly sliced (about 4 cups), and 2 cups fresh blueberries in a bowl. Salt and pepper to taste. Add 1/2 cup Wegmans Organic White Balsamic Vinaigrette, 3 Tbsp thinly sliced fresh mint leaves, 1 cup crumbled, plain Feta Cheese. Gently toss to combine. Simple, easy to make and great for a hot day. Try cut up strawberries instead of blueberries and without the salt and pepper. Add a few sliced toasted almonds. It's a great recipe to mix and match to taste, keeping it a cooler dish to serve in the heat. You can find the recipe to make this and many other delicious dishes on our website at <https://www.pzlaw.com/library/recipes/>.



## SUMMER SOLSTICE

Some people call it "the longest day of the year," but actually, it's the day with the most daylight because every "day" has exactly 24 hours. This year it is June 20. The amount of daylight will remain the same for a few days before shrinking each day until the winter solstice in late December. The reason for solstices, equinoxes, and seasons is thanks to a random collision with another object untold billions of years ago causing the Earth to be tilted on its axis.

During the solstice, the sun will be directly above the Tropic of Cancer. That's the farthest north the sun moves in the sky, which is why the days leading up to and right after the solstice have the most daylight of the year.

Solstice observations have been going on for thousands of years. One of the largest and longest running celebrations happens annually in England where hundreds of people travel to the ancient site of Stonehenge for the first day of summer. However, this year, the celebrations at Stonehenge will not take place due to COVID.

### CONGRATULATIONS TO BRANDON H. ZEIGLER AWARDED TOP 100 SUPER LAWYERS DESIGNATION FOR 2020



Brandon was awarded the Super Lawyers and the Top 100 Super Lawyers in Virginia designation for 2020. He has received the Super Lawyers recognition every year since 2008, and Top 100 Super Lawyers in 2016 and again this year for 2020.

Super Lawyers is an attorney review and rating service of outstanding lawyers from more than 70 practice areas who have attained a high-degree of peer recognition and professional achievement. Super Lawyers selects attorneys using a rigorous, multiphase rating process. Peer nominations and evaluations are combined with third-party research. Each candidate is evaluated on 12 indicators of peer recognition and professional achievement. Attorney selections are made on an annual, state-by-state basis.



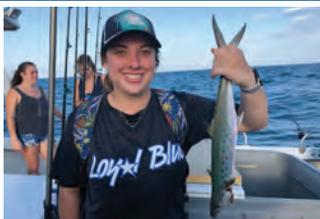
## Family Corner



Lia's son Grant graduated from 5th grade on June 11th and celebrated with a drive through ceremony. While the festivities were much different than expected and the event was certainly bittersweet, fun was had by all. Can't wait to see him excel in middle school next year!



Geri's children Austin, Kendall, and Krista celebrated their 21st birthday this month. If not for the pandemic, they would not have been together to celebrate this milestone.



## SPANISH MACKEREL

Spanish Mackerel is running off the coast of Virginia Beach and are primarily caught a few miles offshore which makes for a perfect half day trip. Spanish mackerel are one of the lighter flavored fish in the mackerel family and are a good source of vitamin D, protein, and are a rich source of omega-3 fatty acids. I (Brandon) like a simple approach to cooking this fish. I stuff the fish with crushed garlic, herbs, and lemons, then roast it in foil with quality olive oil. A generous squeeze of fresh lemon is a perfect finish for this dish.

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**INSIDE THIS ISSUE:**

- Bicycle Accidents
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*Kellam's Tech Tips:*

Apple's WWDC keynote happened on June 22. Some highlights released from Apple as to its new offerings are below:

- New iOS (iOS14) – public beta expected in July. A few noted additions:
  - o Picture-in-picture now on iPhone
  - o New “universal search” for iPads
- Automatic device switching for AirPods
- Automatic sleep tracking for AppleWatch
- New real-time translate app – “Translate”
- New MacOS (Big Sur) – will look and feel more like iOS

These are just some of the highlights. There are numerous other updates and changes across the Apple line of devices/software. A simple internet search will give you the full details.

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May 2020 Newsletter | VOLUME 9 - ISSUE 5 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Positive Impacts of COVID-19
- Custody and Child Support Issues During The Pandemic
- Dealing With Bed Bugs

### PARKS ZEIGLER SUMMER HOURS

**MAY 26 - SEPTEMBER 7**

<b>Monday</b>	<b>8:00 - 5:30</b>
<b>Tuesday</b>	<b>8:00 - 5:30</b>
<b>Wednesday</b>	<b>8:00 - 5:30</b>
<b>Thursday</b>	<b>8:00 - 5:30</b>
<b>Friday</b>	<b>8:00 - 12:00</b>

*Personal Injury*



Since Stay-At-Home orders were put in place for Virginia, people are driving a lot less. Even if your car is sitting idle in your driveway, it is recommended that you do not cancel your car insurance. This could be a costly mistake that could expose you to serious legal consequences. Many insurance companies are reducing rates or giving rebates during this time. If your insurance company hasn't, we recommend you reach out to them to discuss other options, possibly a payment plan, rather than terminating your policy.



**Kellam's Corner:** What a different place we find ourselves at this month than the same time last year. In last year's column, I was discussing how I attended the annual Virginia State Bar's Tech Show in Richmond and how my daughter Avery was wrapping up her third year at ODU. The former was canceled this year due to the pandemic and Avery graduated in December (especially good timing given the circumstances!). If there is one constant in life, it's change.

Speaking of change, Parks Zeigler is excited to announce that we've added a 10th attorney, Ed Booth, and his paralegal Elizabeth to the practice. Ed and Elizabeth bring with them years of experience in civil litigation, with an emphasis in personal injury. The additions strengthen our Medical Malpractice/Personal Injury practice areas and allow us to continue to better serve our clients. I encourage you to check them out on our website.

*Kellam*

## *Did You Know?*

The current American Flag of 50 stars was designed by a then 17-year-old for a school project. He only received a B-. In 1958, Robert Heft, a high school sophomore from Ohio submitted the design to Congress, where it was approved in 1959.





*"Creativity is contagious, pass it on."*

*— Albert Einstein*

## DEALING WITH BED BUGS

Nothing can ruin a family vacation, business trip, or any other occasion which requires a hotel stay faster than checking into a hotel that has been infested with bed bugs. Virginia law makes it clear that hotel owners have an obligation to prevent infestations. It is a good idea to inspect your hotel room for bed bugs when you first arrive.

Signs of Bed bug Infestation in a Hotel Room.

- Bed bugs tend to stay out of sight during daylight hours, but careful inspection may reveal the bugs themselves or signs the bugs may be present.
- Bed bugs are typically found around the headboards and box springs of beds. They also like to hide in zippers and seams of couches and chairs.
- Bed bug excrement is black, and will be found in the same places around beds and furniture as live bugs; bed bugs are brown to reddish, and about the size of an apple seed; bed bugs molt, and they leave their skins behind; people may bleed after bed bugs take a blood meal, and leave the bloodstain on sheets.

A few facts:

- Bed bugs are not attracted to "dirty surroundings," but proper sanitation and inspection can help discover them before an infestation spreads. Bed bugs can be found in five-star luxury hotels, as well as apartments and inexpensive motels.
- Bed bugs feed on blood but are not believed to transmit diseases in humans.
- Bed bugs can travel easily, and can come home in your luggage.
- Bed bugs are not easily killed by commonly available insecticides.
- If a hotel does a poor job of exterminating bugs and their eggs, re-infestation will occur within a matter of weeks.
- Bed bugs can travel to adjacent rooms on the same floor, and

one floor above and below. Proper treatment protocols require treating adjacent rooms in a hotel.

- One of the best methods for discovering the existence of bed bugs is highly trained dogs, who can in some cases identify the presence of the single bed bug egg. These dogs and their handlers are some of the best first lines of defense against bed bug infestation in hotels and in apartments. The National Pest Management Association Best Management Practices for Bed Bugs encourages the regular use of scent-detection dogs to promote early detection of an infestation.
- Approximately 30% of people do not react at all to bed bug bites. But other people will scar as a result of bedbug bites.

Hotels have a high duty of care to their guests. Regular and inexpensive screening with canines to detect bed bugs, before an infestation becomes severe, can prevent injuries to guests. All hotels should perform these screenings because it is among the best and easiest ways to prevent infestation. Hotels that take shortcuts and harm their guests should be held responsible. Our Virginia Beach personal injury attorneys have successfully settled and tried bed bug injury cases and are available to help you hold negligent hotels responsible. If you or a family member have suffered pain or loss as the result of bed bugs, our personal injury attorney Ed Booth can explain your rights. For more information on this topic, visit our website [www.pzlaw.com](http://www.pzlaw.com) or call 757-453-7744 to schedule a free personal injury consultation.



Ed Booth has over 16 years of experience as a civil litigation attorney specializing in personal litigation. He believes "You can't alter what happened to cause an injury, but you can improve your client's life by obtaining the maximum settlement or verdict possible." Read more about Ed at [www.pzlaw.com/bio/personal-injury-attorney-ed-booth.cfm](http://www.pzlaw.com/bio/personal-injury-attorney-ed-booth.cfm)

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## Deb Dishes:

May is strawberry picking time so this month's recipe, featuring freshly picked local strawberries, was made by Jackie. It comes from Mom on Timeout recipes. The office staff loved being the taste test group for this one. Strawberry Shortcake Roulade is a short cake recipe baked in a jelly roll pan, like our famous Pumpkin Roll. Instructions for the cake part can be found online. To make the filling you take 1c heavy whipping cream, 1 Tbsp sour cream, 1/2 tsp vanilla extract, 1/4 c powdered sugar, 1 lb. strawberries (washed, hulled and sliced), 1 Tbsp sugar, 1 Tbsp lemon zest. In a large bowl, beat the heavy cream on high speed until soft peaks form. Add the sour cream, vanilla extract, and powdered sugar. Continue beating until stiff peaks form. Spread onto the cooled cake leaving a one-inch border around the edges. In a small bowl combine the strawberries, one tablespoon of sugar and lemon zest. Scatter strawberries over the top of the whipped cream. Starting at the short end, roll up the cake, letting the parchment fall away as you roll. Place the cake seam side down. Dust with powdered sugar if desired. You can also make the filling to use on premade short cakes or for dipping vanilla wafers with the kids. You can also mix it up and frost a cake but be sure to refrigerate! See this full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## POSITIVE IMPACTS OF A PANDEMIC

Life as we know it has been completely warped for the last few months as Coronavirus wreaks havoc on our society. Though we all hope to return to some sort of normalcy, we can agree things will be different from now on. Despite the chaos, frustration, and uncertainty that comes with undergoing a pandemic, there are a few silver linings and positive outcomes of Coronavirus to reflect upon.

**Community** - If Coronavirus has sparked anything in our society, it's an increase in community spirit. There's no denying that a reinvented respect has been fostered for our hardworking healthcare professionals and first responders who have been on the frontlines and the support of small business is abundant.

**Family** - Families are spending extended amounts of time together and connecting with each other at home or virtually in an effort to support each other. Mealtimes have become a daily event and kitchen tables have turned into school rooms. While traditional graduation celebrations were cancelled for many students, families have drawn together to find creative solutions to mark the milestones.

**Environmental** - Carbon dioxide levels have been down significantly, and the hole in the ozone layer is slowly closing due to the sharp decrease in manufacturing and production.

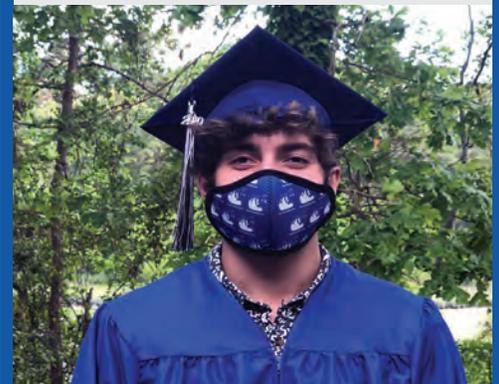
**Innovation** - This pandemic has also inspired innovation across multiple industries, including technology, medicine, and education. This adversity has challenged the human race, and newfound creativity is helping us cope.

Though these times are unprecedented and scary, it's important to search for the silver linings and focus on the potential for good that can come out of this situation. Amongst darkness, there is opportunity and light.

## Family Corner



Ed's favorite thing to do is spend time with his young daughter. They love all things outside, including the Norfolk Zoo, where this photo was taken shortly before the world turned upside down and the Zoo closed for COVID-19. We miss the Zoo!



Geri's son received his Associates Degree in Business Administration and is waiting to hear what universities are doing this fall before finalizing his plans for next year.

## Video Streaming Recommendations

I'm (Kellam) taking a break this month from the food, wine, and spirit discussion, as most of us have been hunkered down in our homes. Instead, I thought I'd share some of the streaming shows we've been bingeing. Two of my wife and my favorites are Ozark (Netflix) and Billions (Showtime), which are amazing dramas. As a sci-fi fan, I just finished season two of Altered Carbon (Netflix) and signed up for CBS All-Access for a Star Trek fix (Picard and Discovery). We'd love to hear what you are watching - reply to our Facebook post on the subject at <https://tinyurl.com/ycurvbhw/>



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**INSIDE THIS ISSUE:**

- Positive Impacts of COVID-19
- Custody and Child Support Issues During The Pandemic
- Dealing With Bed Bugs

*Allison's Adage:*

These are certainly unusual times. Going through this pandemic can be stressful but even more so if you have to worry about custody and child support issues. Here are some things you should know:

1. The Supreme Court of Virginia has extended the judicial emergency through June 7, 2020. However, the order has allowed the local courts to determine how to handle cases going forward. Most of the local courts continue to hear emergency matters only but may consider non-emergency matters that can be accomplished using video conferencing. What is deemed an emergency by the courts will vary.
2. Everyone should be following the terms of their custody and visitation orders absent a true emergency. It is not okay for either parent to prohibit contact with the child(ren) during this time. If you have concerns, you need to have an open and frank conversation with the other parent before deciding to withhold parenting time. Co-parenting is more important than ever right now.
3. For some reason, people think that because the children are not physically going to school it is summer. It is not summer. Summer starts when the school year ends like it has in the past.
4. If you are not receiving support, unfortunately, it may not be deemed an emergency. With a lot of people out of work, it may be tough for people to meet their child and spousal support obligations.
5. While access to the courts is limited, that does not mean that we cannot help. You want to continue to be proactive. We can still file petitions for custody, visitation, and support. We can still negotiate and try to settle matters. We can still gather documents and prepare for when the courts lift the restrictions on non-emergency matters. Don't put off your legal issues. Waiting could cause an even bigger delay.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

April 2020 Newsletter | VOLUME 9 - ISSUE 4 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Why SIM Swapping is the Biggest Threat on your Smart Phone
- Curbside Legal Services
- Google Prompt



## *Personal Injury*



Car accidents are the most common cause of personal injury cases and make up 52% of all the personal injury lawsuits in the country. Over 90% of cases are settled before they go to court. Your case may not need a trial, depending on the circumstances and if it can be settled beforehand. With all personal injury cases, there is always a time limit to file the lawsuit. For this reason, it is important to contact a personal injury attorney as soon after the injury as possible.



**Brandon's Soapbox:** Kellam and I wanted to give you an update on COVID-19's impact on our firm and the legal community. Its impact is unprecedented, and PZ has not been immune from the effects. In all the time that Kellam and I have been practicing law, we've never seen the courts close but for snow and a hurricane, and for no more than a week at the most. At the time of writing this, the Supreme Court extended court closures for another 21-day period, until May 17.

As a cloud-based, paperless law office, we're uniquely positioned for less disruption than most businesses. We're still operating at full staff and capacity. While our office is operating with regular hours, the majority of our team is working remotely. Appointments and meetings are being held electronically via phone, video chat, or email unless an in-person meeting is absolutely necessary. Of course, we strictly limit our in-person meetings to protect those of us who regularly come into the office. As always, our clients continue to have 24/7 access to their records via our client portal.

The strength of PZ is our clients, vendors, and staff. We value all and are here for you. Let us know how we can help you during this stressful time. We understand that the stress of your case does not go away, and we are still working each day to get you the best outcome possible. We promise we will be prepared and at the front of the line when the court's do re-open.

*Brandon*

## *Did You Know?*

The Sir Christopher "Wren Building" at William and Mary is the oldest college building still standing in the United States and the oldest restored public building in Williamsburg. It was constructed between 1695 and 1700 and even though it was thrice ravaged by fire (1705, 1859 and 1862) it continues on as "the soul of the College."





*"Do What You Can, With What You've Got, Where Your Are."*

*— Theodore Roosevelt*

## WHY SIM SWAPPING IS THE BIGGEST THREAT ON YOUR SMART PHONE

Your SIM card is the chip in your cell phone that tells your device what phone number and cellular network to use. Your SIM card is assigned to your phone number by your wireless service provider.

A SIM swap happens when someone somehow convinces your cell provider that they are you. Once they do so, they have the service provider switch the SIM card linked to your phone number to a SIM card they have in their possession, which routes all your incoming calls and texts to whatever phone the hacker's SIM card is in.

This may not seem like a big deal at first glance, but it allows the hacker to have immediate access to any two-factor authentication code you receive through text messages. For example, the hacker accesses your Google account asks for a password reset link via SMS message, then they simply change the password and access your account. SIM swapping allows a hacker to access email, online bank accounts, social media accounts, and cryptocurrency accounts within minutes.

### What can you do protect yourself?

Cybersecurity experts all agree that you should stop using SMS for two-step verification. Instead, use an authentication app such as Google Authenticator, Microsoft Authenticator, or Authy. These apps can't be accessed via your cell phone number and the verification codes expire quickly (usually within 30 seconds).

Other valuable tips:

- Set up Google Prompt. See Kellam's Tech Tips on the back page for instruction.
- Add a PIN code or password to your wireless account. This

will require the wireless provider to authenticate your identity with the PIN or password before allowing access to your account via phone.

- Generally recommended security practices will help too, such as having lengthy passwords and protecting them. Cybersecurity experts recommend using a password manager. A password manager is essentially an encrypted digital vault that stores the login information you use to access apps on mobile devices, websites and other services. It also generates strong, unique passwords to ensure you aren't reusing them across services and devices. Two good choices are LastPass and 1Password.

### What should you do if you've been hacked?

The easiest way to tell if your SIM card is no longer active is if you completely lose service on your phone. Of course, this means you won't be able to place or receive phone calls or text messages.

- Use someone else's device to call the customer service for your service carrier immediately.
- Reach out to your bank(s) and credit card companies and check to see if the hacker has changed any of your passwords or make any fraudulent transactions.
- Place a Fraud Alert with the credit reporting agencies
- File a police report with the local authorities.
- File a report with the Federal Trade Commission (who tracks these types of cyberattacks).
- Change passwords on accounts that may be compromised.

For a more detailed overview on the dangers of SIM swapping, visit our website at <https://tinyurl.com/y8lz2tgv>

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Gerri found this recipe for Key Lime Pound Cake with Key Lime Cream Cheese Icing on Facebook. It has delicious, fresh ingredients, but is a bit of a process. Take 1 lb. butter (room temperature), 3 c sugar, 6 large eggs plus 2 yolks (room temperature), 3 ½ c all-purpose flour, 1/3 c plus 2 TBSP fresh key lime juice, 1/4 c evaporated milk, 1/4 c grated Key lime zest, 1 tsp vanilla. Preheat oven to 325°. Cover inside 10" tube pan with non-stick spray. Using an electric mixer, beat the butter well until light in color and fluffy, scraping down the sides of the bowl as needed. Add sugar and beat well for at least 5 minutes. One at a time add the eggs and beat only until the yellow disappears. Add lime zest. Stir juice, milk and vanilla together. Now mixing by hand, gradually add flour to the butter-egg mixture alternating with the key lime juice and milk mixture. Begin and end with flour. Mix just enough to incorporate all ingredients. You don't want a tough pound cake! Pour evenly into the tube pan and tap on the counter to loosen any air bubbles. Bake for 1 hour and 30 minutes or until cake tester comes out with a few moist crumbs but not wet. Cool on a cooling rack for 10-15 minutes in the pan then transfer from pan to cooling rack and allow to cool another hour or until completely cool before icing. See this full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## CURB SIDE LEGAL SERVICES

Given the dangers of this coronavirus pandemic, estate planning and the need for up-to-date health care directives are on many people's minds. The requirements for signing these important legal documents vary state by state and it is important to know the laws in your state.

In Virginia, wills and medical directives require that the documents be signed in person along with two witnesses. Financial Powers of Attorney need to be signed in person with a live notary in order to be valid.

As a cloud-based, paperless law office, we're uniquely positioned to assist our clients remotely. Following your initial consultation (via video or phone), our experienced estate planning attorney, Caryn West, drafts your documents. These documents will be uploaded to your secure client portal for your review. Once you approve your final documents, an appointment will be scheduled for the signing of the documents.

In order to serve our clients and maintain safe social distancing practices, we have placed a drive thru tent in our Virginia Beach office parking lot to accomplish these tasks in a safe, weather resistant environment. When you arrive for your scheduled appointment, drive into our tent, stay in your car, and our staff will come to the tent and complete the necessary signings while practicing safety guidelines the CDC recommends (gloves, masks, sanitized clipboards, and individually wrapped pens). Once the documents are finalized, you will leave with your original, signed and notarized documents along with a digital copy for your records. If you are interested in setting up an estate planning consultation, please call us at 757-453-7744.



Curbside legal services are available at our Virginia Beach location.

## Family Corner



Meet Allison's new puppy Coal. He sure loves to chew.



Deb can't be with her NC grands -but can send them new jammies! She loves & misses them so much.



## Melt In Your Mouth Short Ribs

Tender, melt-in-your-mouth beef short ribs are the most flavorful, tender pot roast you can imagine complete with a handy stick for your eating convenience. Kidding aside, I (Brandon) never pass up a chance to make these. "Bone-in" is the key to short ribs. Sprinkle the meat with kosher salt and fresh ground pepper, then dredge in flour. Brown the ribs in olive oil to sear the meat. A few cups of dry red wine (never cook with a wine you would not drink) and an equal amount of chicken broth, carrots, onion, tomato paste, garlic, bay leaf, thyme, rosemary, mushrooms, and a Dutch oven is all you need. Cover the pot and put it in the oven for a good 4 ½ hours and let the magic happen. It is better the next day. Serve over potatoes or polenta and open a new bottle of wine and go back to your Netflix series.

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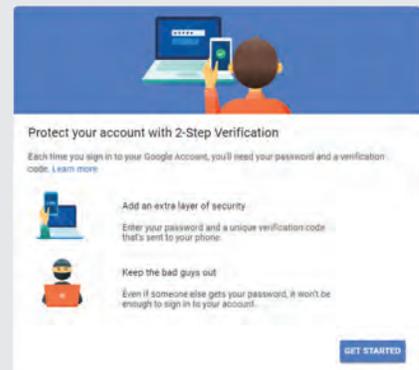
**INSIDE THIS ISSUE:**

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*Kellam's Tech Tips:*

Google Prompt is a feature you can enable on your Google account without using SMS or a separate app. Google suggests only using this on devices that are secured with a password or fingerprint scanner and not using on a shared device. You can enable this feature by following these steps:

1. Enable two-step verification for your Google account if you haven't already (via [myaccount.google.com](https://myaccount.google.com))
2. Select "Security" and then turn on "2 Step Verification." Choose the Google Prompt section under Set up alternative second step, click Add phone and click Get started
3. Select your device from the drop-down menu
4. Once you've selected a phone, click Next
5. If you're set up properly, you will receive a notification on the device you're trying to connect. Unlock it and tap Yes to enable Google Prompt



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# STAYING *in Touch*

March 2020 Newsletter | VOLUME 9 - ISSUE 3 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- How a Fender Bender can Result in a Felony Conviction
- Norwegian Lady Statue
- Retirement Accounts in a Divorce



## *Technology*



As a cloud-based, paperless law office, we're uniquely positioned for lesser disruption than most businesses. While our office is operating during normal hours, appointments and meetings will be held electronically via phone, video chat, or email unless your attorney deems an in-person meeting is absolutely necessary. Our clients continue to have 24/7 access to their records via our client portal.



**Kellam's Corner:** March is the firm's anniversary becoming Parks Zeigler and 2020 marks our 5th year transitioning from the solo firm that I started in 2012. We continue to grow, both in size and practice areas. We've added two attorneys and a Chesapeake office in the last year. Not surprisingly, we're not done – we are building out a third office unit at our Virginia Beach location and will be announcing more personnel growth next month.

We extend our hope that our friends and clients stay safe during the coronavirus pandemic. As of writing this article, Virginia has shut down the schools for two weeks. Parks Zeigler remains committed to serving our clients and the public and, fortunately, we are well-positioned to continue doing that because we are cloud-based and paperless. We're here if you need us.

*Kellam*

## *Did You Know?*

Virginia is home to the largest office building in the world – the Pentagon. It has three times the floor space as the Empire State Building and serves as the headquarters of the U.S. Department of Defense, including three military services – Army, Navy, and Air Force. Although the building is located in Virginia, it has a Washington, D.C. mailing address.





*"With the new day comes new strength and new thoughts."*

*— Eleanor Roosevelt*

## HOW A FENDER BENDER CAN RESULT IN A FELONY CONVICTION

On February 27, 2020, the Supreme Court of Virginia issued an opinion interpreting Virginia Code § 46.2-894, commonly referred to as Virginia's Hit-and-Run Statute (*Butcher v. Commonwealth*). This statute establishes the reporting requirements if you are in a vehicle crash involving damage to property, injury to person, or both.

To help you understand the daily significance of this code, here is some data on car accidents published by the Virginia Highway Safety Office:

In 2018 there were 131,848 car accidents throughout the Commonwealth.

- This is an average of 361 accidents per day or 1 crash every 3.9 minutes
- 42,922 of these accidents involve injuries, which averages out to 117 per day
- Car accidents injure 182 people every day

If you are convicted of violating this statute, and the accident involved either injury or death of any person, or more than \$1,000 worth of damage to property, it is a Class 5 Felony. Conviction of a Class 5 Felony in Virginia carries a potential prison term of up to 10 years and/or a fine of up to \$2,500.00. I'm sure none of us are interested in inadvertently earning ourselves a felony conviction. So, what did the Supreme Court determine a person needs to do to avoid such a conviction? They don't know. It is difficult to figure out what the statute requires and why the Court is divided but it is important to protect yourself if you are in an accident.

### What Should You Do if You're Involved in An Accident?

Until the General Assembly clarifies the requirements, it is best to err on the side of caution and the Virginia Driver's Manual, published by the Department of Motor Vehicles, recommends the following steps be taken:

1. Stop at the scene of the crash or as close to the scene without blocking traffic. If the vehicles are able to be moved and no one is injured, vehicles should be moved off the road.
2. Give any help you can if someone is injured, however don't move an injured person from a wrecked vehicle unless you have the necessary medical training or there is an immediate danger such as fire.
3. Report the accident to local law enforcement.
4. Exchange information with the other people involved making sure to get the following: name, address, driver's license numbers, license plate numbers, insurance policy numbers for any other driver's/vehicle owners, and the names and addresses of witnesses and anyone injured.
5. If you hit an unattended vehicle or damage other unattended property, you must make a reasonable effort to locate the owner. If you cannot locate anyone, leave a note that can be easily found at the scene with your contact information, and the date and time of the crash, and report this to local police.

The Virginia General Assembly is set to reconvene on April 22, 2020 and motorists across the Commonwealth are hopeful that our legislators will clarify this statute and its requirements.

For a more in depth analysis of this law, visit our website at <https://www.pzlaw.com/blog/can-a-fender-bender-result-in-a-felony-conviction-.cfm>

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## Deb Dishes:

I like recipes that can be used for many purposes, like appetizers or a main entree. Our paralegal Ambir Wilson provided a quick and easy to prepare recipe that fits that bill and can be a healthy and hearty choice. She has a Weight Watcher recipe called Crock Pot Salsa Chicken. I love that it can be a meal, served with some veggies, or a dip for chips. I made mini soft tacos with this tasty chicken dish! Take 4 frozen, skinless, boneless chicken breasts (or thighs, if you prefer) and a jar of salsa, whatever your favorite is (her family likes black bean and corn) and put in your crock pot. Cook on low for eight hours or high for four hours. Take the chicken out and stir in one block of reduced fat cream cheese (they make that?) until well blended. You can serve chicken on a bed of rice and top with the creamy sauce, maybe add some veggies. You can also shred the chicken, add back to pot and use as a dip or a filler for tortilla or tacos shells. Per Ambir, her boys love this so much they would eat it every day if she would make it! See this full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## NORWEGIAN LADY STATUE

You've passed her many times. She stands looking out over the Atlantic Ocean at 25th Street. Who is she? Did you know she is a twin? The original Norwegian Lady Statue is located here in Virginia Beach with a matching "sister" residing in Moss, a coastal town in the county of Østfold, Norway.

In 1891, the Norwegian vessel Dictator ran aground on a sandbar 300 yards off the shore of Virginia Beach. Residents, patrons from a nearby hotel, and men from the United States Life Saving Services (now called the United States Coast Guard), attempted to rescue the ship's crew. Eight of the 17 were rescued; the captain's wife Jahanne, their son Carl, and the remaining crew members perished.

A young boy walking along the beach found the female figurehead from the Dictator. As a testament to those who helped in the rescue, as well as those who perished, the manager of the Princess Anne Hotel erected the figurehead over the boardwalk. As time went on, she became known as the Norwegian Lady and stood as a guardian to the memories for over 60 years.

In 1953, Hurricane Barbara damaged the Norwegian Lady beyond repair, and she was removed. Word traveled to Norway of the loss, and the Norwegian Shipping Association raised enough money for two memorial statues. On September 22, 1962, one was gifted to Virginia Beach and the other was erected in Moss Norway, forever linking the two sister cities together. The statues are positioned to face one another over the Atlantic Ocean. The Norwegian Lady statue is a favorite Virginia Beach attraction. Next time you are at the oceanfront, head to 27th Street and check her out. She is hard to miss.

## Family Corner



Lia's son Grant recently turned 11 with an Italian themed party.. homemade spaghetti and meatballs with tiramisu for dessert.



Deb took her oldest granddaughter, Mia, to Disney World for her first visit. Not sure who was more excited by all the Disney magic!



## New River Taphouse

Another favorite place that I (Kellam) like to go for good beer is New River Taphouse. While one of my other favorites previously discussed (1608 Crafthouse – right down the street) specializes in bottled beer, New River has a large offering of beers on tap that frequently change. Their pretzel with three sauces is one of my wife and my favorites. The outdoor seating is fantastic – complete with concrete tables with gas firepits for when the evenings remain chilly. Go check them out. <http://www.newrivertaphouse.com/>

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**INSIDE THIS ISSUE:**

- How a Fender Bender can Result in a Felony Conviction
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- Retirement Accounts in a Divorce

*Allison's Adage:*

Knowing what type of retirement account(s) you have is important in a divorce.

With so many different types of retirement account these days, it can be confusing and hard to understand how those accounts are divided in a divorce. In order to understand how retirement accounts are divided, you must know what type(s) you have.

First, you need to know the difference between defined benefit plans and defined contribution plans. Defined benefit plans are usually only funded by the employer and get paid out in monthly installments once you reach retirement age. You typically do not have any access to the funds prior to reaching retirement age. Pensions are the most common type of a defined benefit plan. Defined contribution plans are usually funded by the employee and employer. You can usually withdraw funds or take loans against the funds prior to reaching retirement age. But be careful, withdrawals most likely will cause taxes and penalties to be assessed. The most popular defined contribution plan is the 401(k).

There are other employer sponsored plans, like an Employee Stock Ownership Plan, Employee Stock Purchase Plan, SIMPLE (Savings Incentive Match Plan for Employees) Plan or a SEP (Simplified Employee Pension) Plan. Finally, there are IRAs (Individual Retirement Plans).

In the next issue of Allison's Adage, I will cover the complicated task of dividing retirement accounts. Keep in mind, when choosing a divorce attorney, make sure they have experience in dividing retirement accounts or have resources that can assist them in doing so.

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February 2020 Newsletter | VOLUME 9 - ISSUE 2 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- The Importance of a Business Succession Plan
- Recyclable vs Non-Recyclable
- Continuous Flow Intersections



## *Estate Planning*



Wills are no laughing matter, but a Canadian lawyer named Charles Miller used his to play one final prank. He passed ownership of his Jamaican vacation house to three men who despised one another. He also transferred stock in a horse track to two anti-horse racing advocates. As tempting as this may be to practical jokers, we don't recommend using your Will to play pranks!



**Brandon's Soapbox:** What a fantastic start to 2020. The expansion of a new office location in Chesapeake and the addition of Shelly Wood and her team has kept us busy this month - we couldn't be happier with the way this merger has gone. We now have the capability of servicing clients with criminal and traffic matters in our office in Virginia Beach and Chesapeake.

We have purchased another additional unit at our Virginia Beach location and are in the process of building out an additional 1500 sq. ft. of space. Stay tuned next month for when we announce our plans for this expansion.

I just returned from a trip to Belize with my Entrepreneur Organization (EO) group where we spent time exchanging business strategies and enjoying the local culture. I truly value the time and insight that my Forum members provide. They are a wealth of knowledge and their contributions are immeasurable.

*Brandon*

## *Did You Know?*

Some in the community have expressed frustration over the new intersections at Kempsville & Indian River and Military Highway & Princess Anne/North Hampton. They are called Continuous Flow Intersections, and can be confusing for drivers who are unfamiliar with them. They are designed to free up congestion using a "displaced" left turn, a divided left turn lane and traffic signal. You can watch a video that explains how here -- <https://www.youtube.com/watch?v=yUVil-wPHOU>





*"He has achieved success who has worked well, laughed often, and loved much."*

*– Elbert Hubbard*

## THE IMPORTANCE OF A BUSINESS SUCCESSION PLAN

As an attorney with over 15 years of experience in Virginia helping clients with their business and estate planning needs, one thing has become clear – starting and running a small business is as rewarding as it is stressful. Ask anyone who has started and runs a successful small business, and they'll tell you it's one of their proudest accomplishments.

Making your dream business succeed is full of hard work and unexpected obstacles, but also immeasurable value. Choosing a name, selecting a logo, selling your first product or providing your first service, receiving positive customer feedback, navigating regulations, filing taxes, and the growing pains that require difficult and consequential decisions be made – all of these rites of passage and more contribute to the reputation of small business owners in their community.

Recognizing the value and importance of your small business to you and your family's livelihood, it would be a mistake not to develop a plan that lays out what to do if you find yourself unable to perform the tasks required to maintain success.

A Business Succession Plan oversees all necessary legal actions to ensure the smooth transfer of a business to a selected individual or group of individuals upon retirement, or in the case of an unforeseen event that leaves the owner unable to perform the duties of their role.

Additionally, a Business Succession Plan ensures that there are the necessary financial resources to cover any expenses associated with the transfer.

While the details of a succession plan will reflect the specific goals and services of the business in question, they should generally consider the following:

- Applicable Federal and State Tax Laws
- Customer and Key Employee Retention
- Training Requirements for Position Shifts
- Insuring Key Employees & Business Owners
- Identifying Successors
- Drafting and Negotiating Agreement for Transitioning the Business to Successors

Another essential thing to remember – the size of your business is irrelevant to the security a Business Succession Plan can provide. Many may forego necessary steps because they think their business is small enough that a formal succession plan is not needed. I want to emphasize that this is an unwise decision.

A Business Succession Plan can allow your business to become a legacy. If you own your own business, give us a call to set up an appointment to discuss how we can assist you in protecting what you have built.



Caryn West is an Accredited Estate Planner of the National Association of Estate Planners and Councils and has been with Parks Zeigler since 2019. Caryn also specializes in Small Business Representation, helping entrepreneurs form new businesses, assisting existing businesses with contracts, real estate transactions, leases, general guidance, and succession planning. Read more about Caryn at [www.pzlaw.com/bio/caryn-r-west-wills-trusts-estates-attorney.cfm](http://www.pzlaw.com/bio/caryn-r-west-wills-trusts-estates-attorney.cfm)

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## Deb Dishes:

It's Valentine's season and chocolate will be consumed in mass quantities... so I chose to make something smooth and warm. Hot Cocoa Pudding with Candied Pecans helps warm up a winter night and tastes wonderful. I set out all my measured ingredients before I begin, as cooking moves fast from start to finish. For the pudding you will need 1 1/2 c. heavy cream, 1 1/2 c. whole milk, 4 tbsp. butter, 1 tsp. pure vanilla extract, 2 large eggs, 1/2 c. sugar, 2 tbsp. cornstarch, 2 tbsp. unsweetened cocoa powder and 4 oz. chopped chocolate, I use Lindt 70% bars. Whisk eggs, sugar, cornstarch and cocoa powder in a medium glass pourable bowl, set aside. Bring cream, milk and vanilla to a simmer over medium heat. As soon as it reaches a simmer, remove from heat. While whisking egg mixture constantly, pour about 1/3 of the hot mixture over the egg mixture. Next pour the egg mixture back into the pot while whisking constantly. Continue to cook until mixture thickens and is bubbly, about 1-2 minutes. You can buy sugared pecans or you can find the recipe to make them on our website. See this full recipe and many more (including the sugared pecans recipe) on our website at <https://www.pzlaw.com/library/recipes/>.

## RECYCLABLE vs NON-RECYCLABLE

We all make a good-willed effort to recycle. However, TFC Recycling warns that if we practice "wishful recycling," i.e., trying to recycle items we think may be recycled, it could do more harm than good.

Items that are mistakenly recycled can potentially contaminate a truckload of otherwise reusable materials. Plastic bags for example, something many of us think can be recycled, are put in the recycle bins so often that they are referred to as "urban tumbleweeds." They cannot be recycled and can clog sorting machines at the processing plant. TFC asks that residents put items loose into the bins or in a paper bag.

### Below we've listed recyclable and non-recyclable items:

**Recyclable:** Aluminum cans, plastic bottles, mixed paper (excluding receipts, gift wrap, and shredded paper), steel & tin cans, glass bottles & jars, empty (clean) food boxes, cardboard, newspaper, magazines, food & beverage cartons, junk mail, phone books

**Non-recyclable:** food waste, plastic bags, straws, electronics, hazardous waste, Styrofoam, light bulbs, bubble wrap, wood, yard clippings, hypodermic needles, aerosol/paint cans, toys

Mistaken items are so frequent and have become such a problem that many cities employ the phrase "when in doubt throw it out" in hopes of reducing the amount of "urban tumbleweeds" and other non-recyclable items. If the problem worsens, it could jeopardize the TFC's recycle program. Visit the TFC website at [www.tfcrecycling.com](http://www.tfcrecycling.com) for more information about proper recycling.

## Family Corner



Melissa and her daughters enjoyed a beautiful fall day with lots of sunshine and smooches.



Connor attended his first jujitsu tournament on February 15, 2020 and came in First Place in the No-Gi division and Second Place in the Gi division.



## Guys Doing Good

I (Brandon), along with some other local business owners recently formed a 501(c)3 charity called Guys Doing Good, Inc. (GDG). I believe there is no better way to teach compassion and understanding to the next generation than to go out and give back to our community and help someone in need. This year, GDG has selected Seton Youth Shelters as our "spotlight charity." This means that all of the efforts of GDG will benefit Seton Youth Shelters. Whether it be raking leaves, moving items, or hosting fund raisers, our mission is to support this local charity to assist them in every way possible so their 24-hour emergency shelter can have the resources it needs. For more information, visit [www.guysdoinggood.com](http://www.guysdoinggood.com).

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**INSIDE THIS ISSUE:**

- The Importance of a Business Succession Plan
- Recyclable vs Non-Recyclable
- Continuous Flow Intersections

*Kellam's Tech Tips:*

It's been a few years since I tackled Netflix, so we're revisiting with updated info on the popular streaming service. Some of the top tips:

- Turn off Autoplay: This newest feature has been requested for some time. Sign into your account from a computer and go to "Manage Profiles." Click your account and uncheck "Autoplay Previews While Browsing on All Devices."
- Download for offline viewing: This feature allows for viewing when you don't have a connection. Though not available for all titles, for those that are, click on the title and hit the download icon. You can also tap the menu on the top left (three horizontal lines) and select "Available to Download" to see everything you can download.
- Rate Viewed Content – If you don't "thumb up" or "thumb down" what you watched, Netflix assumes you liked it and will recommend based on it. Be sure to rate things to get better recommendations.
- Discovering Best and Popular Titles – Since Netflix populates its categories mostly based on your viewing/ratings, it may be difficult to get the latest additions or most popular outside your sphere of viewing. Two resources are [www.instantwatcher.com](http://www.instantwatcher.com) (provides two-column list of most popular releases in last 24 hours, as well as latest releases) and PC Magazine's list of what's leaving and what's coming to Netflix each month.

Master Genre List – To get the full list of all categories, you can go to the website: [www.netflix.com/browse/genre/\[INSERTNUMBER\]](http://www.netflix.com/browse/genre/[INSERTNUMBER]) and replace the bracketed part with the number of the genre you want. The master list of genres is here: <https://www.whats-on-netflix.com/other/the-netflix-id-bible-every-category-on-netflix/>

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# STAYING *in Touch*

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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Why You Need An Attorney For A Traffic Violation
- Welcome Shelly Wood and Staff
- Difficulties Of Relocating With Children



## *Family Law*



In the new year, we have an opportunity to start fresh with a focus on the future. When it comes to the difficulties of divorce, 2020 offers a chance to offer forgiveness. The benefits aren't only personal. A gracious attitude can allow the divorce process to go more smoothly, which can reduce overall costs and emotional hardship for you and your loved ones.



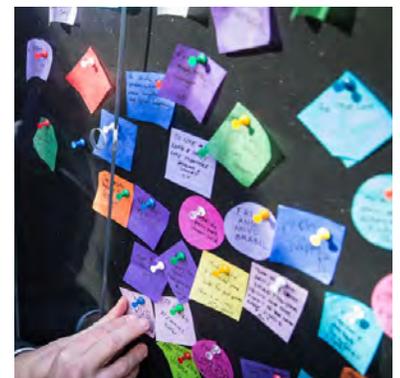
**Kellam's Corner:** Welcome to a new decade! This month marks the 8th year of what has become Parks Zeigler. What started as one attorney and one staff has grown to nine attorneys and twelve staff; as well as growing from one small office to two offices, one in Virginia Beach and one in Chesapeake. We've increased our practice areas in the last year to include Wills, Trusts & Estates, Cybersecurity, and Criminal law. We are thankful for the friends and clients that have made this possible. As always, we don't idle in neutral – we have more irons in the fire for 2020 which we'll share in the coming months.

We wish everyone a fantastic 2020 and, as always, would love to hear from you throughout the year.

*Kellam*

## *Did You Know?*

Individuals can have their wishes and aspirations included in the confetti used at the annual New Year's Eve ball drop in New York City. The New Year's Eve Wishing Wall allows people to leave a note inscribed with their aspirations and wishes. Notes may also be submitted digitally via Twitter or Instagram using the hashtag #confettiwish. The wall is open from December 3rd – 29th, but notes collected after the 28th will be printed and saved for the following year.





*"We make a living by what we get.  
We make a life by what we give."*

*– Winston S. Churchill*

## WHY YOU NEED AN ATTORNEY FOR A TRAFFIC VIOLATION

Traffic violations can impact your life in ways many may be unaware of and hiring a traffic attorney can help with more than merely getting a citation stricken from your record. This month we want to inform you about other factors involved when traffic violations are issued, and the services traffic attorneys can provide to address other issues associated with those violations.

When we think about speeding tickets (or other traffic violations), they may seem straight forward. If a driver breaks a traffic law, then they are guilty and should receive a citation. However, it's essential to realize what's potentially at stake when receiving a traffic ticket. A limited understanding of the process may contribute to traffic fines, increased insurance rates, and associated inconveniences otherwise avoided with the help of an experienced traffic attorney.



The goal of a traffic lawyer depends on the situation. Generally, they can work towards these goals:

**Reducing Penalties:** The fines you must pay, and the points added to your license can be reduced by an experienced attorney. The latter is especially beneficial because it can prevent your insurance rates from increasing. Additionally, when too many points accrue

on your license, it will be revoked with an additional fine to get it reinstated. In Virginia, the point limit is 12 pts in 12 months or 18 pts in 24 months.

**Arrange an Alternative Punishment:** A citation and the associated points on your license are two things drivers want to avoid. Traffic school is an alternative solution in lieu of the ticket and points. Depending on the severity of the violation, an attorney can negotiate this alternative, which saves money and inconvenience in the long run.

**Getting the Citation Dismissed:** Just because a citation is issued doesn't mean you can't fight it in court, and the judge may dismiss it. Often the ticketing officer doesn't show up in court to argue their case, which will lead to a dismissal, or an attorney can defend your case and reduce the penalties or have the ticket stricken.

**Costs:** Yes, a good attorney costs money. However, the price of an attorney will often be lower than the costs of not fighting the ticket or trying to fight it yourself. The immediate costs, as well as the expenses that can accrue during the process resulting from the various fines, fees, insurance rates, etc., can easily surpass an attorney's fees. We encourage our clients to consider the value of an attorney as well as the price. The former of which often lies in what an attorney can achieve in the bigger picture – legally and financially.

If you have any questions about traffic laws and violations, please contact us or visit our website [pzlaw.com](http://pzlaw.com) for more information.

*We welcome your referrals!*

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### Deb Dishes:

When you get a cold and you need something comforting, but full of flavor, try this Spicy Mexican Chicken Soup that I've modified from a Rachel Ray recipe. You can make it as spicy as you like by adding more adobo peppers/sauce. You will need 2 Tbsp EVOO, 1 finely chopped small onion, 6 thinly sliced cloves of garlic, 6 skinless, boneless chicken thighs, cut into 1/2" pieces, 2 chopped chipotle chilies in adobo sauce (can), 2 Tbsp of the adobo sauce, 6 cups chicken broth, 1.5 cups of corn, 1/3 cup fresh chopped cilantro, juice of 2 limes. Optional: 1 avocado, thinly sliced lengthwise, crushed tortilla chips, Queso Fresco (Oaxaca cheese or a dollop of sour cream). In a large saucepan, heat the olive oil over medium-high heat. Stir in the onion and garlic, lower the heat to medium and cook until the onion begins to brown, about 6 minutes. Increase the heat to high, push the vegetables to the side of the pan, add the chicken and cook, stirring, until golden, about 5 minutes. Stir in the chipotles and adobo sauce, then stir in the chicken broth. Add corn (I add black beans too). Lower the heat and simmer for 15 minutes, skimming any foam. Stir in the cilantro and lime juice. Top with the tortilla chips and if you like, a few slices of avocado and some cheese. See this full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## WELCOME SHELLY WOOD AND STAFF

As of 1/1/2020 the merger of Parks Zeigler, PLLC and The Law Office of Shelly F. Wood is official. We now have two locations to serve our clients. Our main location remains in Virginia Beach at 4768 Euclid Road and our second office is located at 501 Cedar Road near the Chesapeake courthouse. We are excited to be starting 2020 off with such a promising development. This merger allows the firm to serve our clients more effectively in a broader range of legal fields. With the addition of Shelly and her team, we will begin handling criminal defense and traffic law.

Kellam, Brandon, and Shelly have known each other for many years both from their respected reputations in the legal field, as well as opposing counsel often litigating cases against one another. It was the sum of these experiences, combined with mutual professional interests that led to the decision to merge firms. Shelly has aptly stated that this decision amounts to a 1 + 1 = 3 situation, an exponential increase in the services we provide for our clients.

Shelly will keep her trusted team intact and manage the Chesapeake office. Her two staff, Jennifer and Melissa, have years of experience and are an amazing team who are passionate about what they do. We are so excited to be working with Shelly's team under the umbrella of Parks Zeigler and have no doubt that this will be a positive development for the firm, and more importantly, our clients.

### Family Corner



Shelly's Christmas morning always includes her family, and her brother's family, for breakfast and gifts, all in their PJs.



Ashley's kids are pumped for 2020!



Geri, daughter Krista (shown here), and sister JoAnne, cruised the ICW from VA to FL.



### 1608 Crafthouse

This month I'm (Kellam) tackling one of my go-to beer spots – 1608 Crafthouse. This local favorite is tucked away off Pleasure House Rd. in Virginia Beach (where Lucky Star used to be, another of my favorites). They have a large bottled beer selection, as well as a nice variety on tap, both of which emphasizing local/regional brews, and are constantly changing. The food is excellent, with a standout being their bacon burger, both being named the best in Virginia, as well as being one of the top 20 burgers in the country. Highly recommend checking them out! <http://1608crafthouse.com/>

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**INSIDE THIS ISSUE:**

- Why You Need An Attorney For A Traffic Violation
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*Allison's Adage:*

When you have children with an ex-spouse or significant other, relocating with your children can be difficult. What happens if you or your new spouse get military orders to a new location or you are offered an amazing job outside of Hampton Roads? Will you be able to maintain custody of your children?

It is not an easy question to answer, as each case is very fact-specific, and each judge has a different opinion. If you wish to relocate with your children, you have the burden of proving that the relocation will not substantially impair the relationship between the non-custodial parent and the children. Additionally, you must show that there is an independent benefit to the children (separate from your own) and that it is in the children's best interest. But how do you prove that? Below are some factors and circumstances the court considers:

1. How involved is the non-custodial parent? Does he/she attend school functions, parent-teacher conferences, medical appointments, extra-curricular activities? The more involved the non-custodial parent, the harder relocating will be.
2. Are there other siblings (half or step)? Do they have a close relationship with the children?
3. Is there extended family? If you are moving close to extended family, that will help. If you are moving away from extended family, relocation may be more difficult.
4. How far away are you relocating? Can the current schedule of parenting time be maintained?
5. How do the schools compare? Better? Worse? How are the children doing in school?
6. Will the move improve your financial security?
7. Does the non-custodial parent have ties to this area and/or intend to remain here permanently?

If you are trying to relocate, it is essential to seek legal advice as far ahead of your anticipated move as possible.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

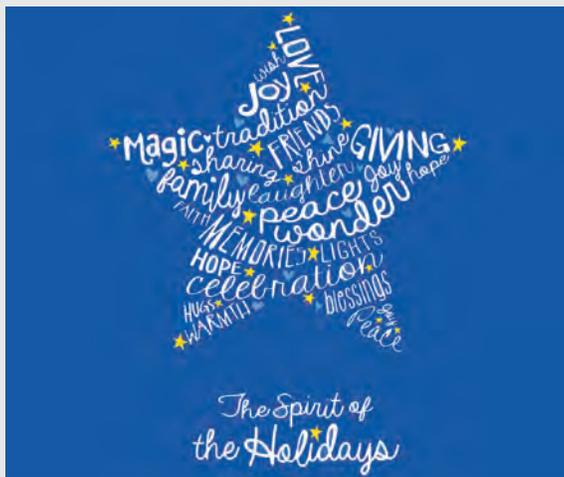
# STAYING *in Touch*

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## IN THIS ISSUE:

- Parks Zeigler, PLLC and The Law Office of Shelly F. Wood, P.C. Merge
- Monitoring Your Credit During The Holiday Season
- Virtual Reality Has Gone To The Cows



## *Family Law*



The first holiday season after a divorce will be difficult, and we encourage the newly divorced not be afraid to seek support from family & friends, and to focus on taking care of yourself. Future holidays may be a struggle initially, but opportunities for new traditions allow for a chance to start over and create new joys & memories moving forward.



**Brandon's Soapbox:** It is hard to believe that we are wrapping up 2019. This year has certainly passed with lightning speed and Parks Zeigler has seen tremendous growth, which we are on track to continue in 2020. We started the year off with 5 attorneys and 10 staff members. We are ending the year with almost double that number of attorneys and a few more staff. We expanded our practice areas to include Wills, Trusts & Estates, and Cybersecurity/Data Privacy.

As we just announced to the public, on January 1st our firm will be merging with The Law Office of Shelly F. Wood, P.C. With the addition of Shelly and her office, Parks Zeigler will now have 9 attorneys and 13 staff, in two cities. Shelly is a seasoned and respected family law and criminal practitioner and will be the Managing Partner of the new Chesapeake office, located near the Court complex.

These are exciting times at Parks Zeigler, and we thank you for trusting us with your important matters. We relish the opportunity to advise and assist. Happy Holidays to All! We wish you good health and prosperity in the upcoming year.

## *Brandon*

## *Did you know?*

Virtual reality is being utilized for various purposes that extend beyond video game play. In Moscow, farmers are putting VR headsets on their cattle. The cows will be shown images of vibrant summer fields with colors tuned for their sensory parameters. The idea is to improve the mood of the cows which will then increase milk production.





*"May your walls know joy, may every room hold laughter, and every window open to great possibility."*

*– Mary Anne Radmacher*

## MONITORING YOUR CREDIT DURING THE HOLIDAY SEASON

In our efforts to encourage the development of best practices, we always suggest people regularly review their credit reports to ensure they are accurate. As we enjoy another holiday season and 2019 comes to an end, we want to emphasize the importance of checking your credit reports, especially during this time of the year. Below we summarize a few points to remind you what is at stake.

### Increased Threat

During the holiday season, consumers are especially vulnerable to scammers looking to take advantage of increased online and in-store shopping. An Experian survey found that 43% of online shoppers were victims of identity theft during the 2018 holiday season, and there were over 14 million identity theft victims in 2018. These threats come in a variety of ways; from charity scams, fake websites, hi-jacking public wi-fi, and more. While these threats exist year-round, they become more common and strategic during the holidays.

### Spotting Inconsistencies Early

The busyness that ensues with the holiday season and increased credit activity makes it harder to keep track of transactions. Checking your credit report and accounts before the end of the year allows you to take stock of financial records before 2019 ends and offers a better understanding of your financial information leading into 2020. Even if you don't spot any inconsistencies, the next time you check, it will be easier to spot any irregularities that may become apparent in the wake of heightened credit activity.

### Addressing Issues

Addressing errors on credit reports and accounts can be a difficult process, and the longer errors go unnoticed, the more difficult it is to correct your reports and credit standing. We've encountered many instances where credit agencies are slow or unwilling to fix errors which creates additional stress for the victims. The chaos of the holiday season and new year festivities can distract us, leaving mistakes unnoticed and unaddressed for longer.

### Maintain Best Practices

Increased threats that arise during the holidays offer an opportunity to re-emphasize the importance of best security practices we urge our clients employ year-round. Signing up for free credit monitoring through Credit Karma and Credit Sesame allows you to keep an eye on credit activity and both services will notify you of any irregularities. Mark your calendars as a reminder to request your three free credit reports throughout 2020. Monitoring your accounts and using these tools will help keep your information and identity secure. Be vigilant and prepared!

As we've discussed before, mistakes on your credit report, large or small, can have a substantial negative impact on you and your family's life. Errors can result from innocent mistakes or intentional attempts to steal your identity and the increased credit activity over the holidays raises the risks of both occurring.

If you have any questions about reading your credit report, or you are concerned about potential credit report errors, please contact us.

*We welcome your referrals!*

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## Deb Dishes:

What do you eat on Christmas morning? I asked a few folks to see what traditions they have and while I love Ashley's family just making everyone's favorite snacks to eat until the big holiday meal, that does not make for a recipe to share! Morgan's family was given this family favorite by her brother's best friend's family, who are from Minnesota. It's an unusual take on an egg casserole, but if you have someone with gluten concerns, here's a winner for them. To make Minnesota Egg Bake, start with 1 Jimmy Dean spicy sausage log, 1 Jimmy Dean original sausage log, 1 small onion (chopped), 1 cup cooked white rice, 5 eggs, 2 cans of cream of celery soup, 4 cups Rice Krispies, 1 lb. shredded cheddar cheese. Grease a 9 x 13 casserole pan with cooking spray. Brown Jimmy Dean sausages and onion together, drain fat. Mix both cans of soup and eggs together in a bowl. Layer in a pan: 1/2 rice, 1/2 meat & onion, 1/3 Rice Krispies, 1/2 lb. cheese. Repeat layers. Pour egg and soup mixture over the top. Sprinkle remaining 1/3 Rice Krispies on top. Bake uncovered at 350 degrees for 1 hour. Enjoy! See the full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## ANDERSON'S GARDEN CENTER

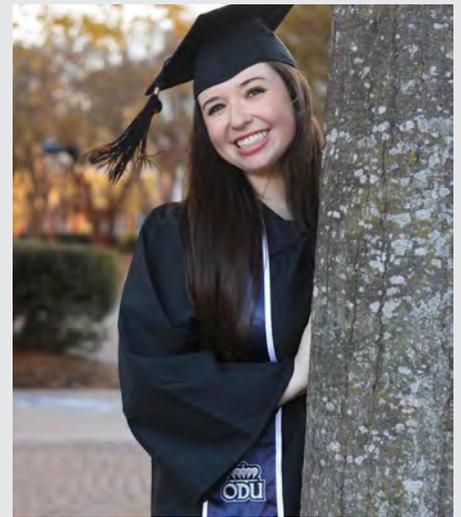
We love to highlight local businesses and this month we are excited to talk about Anderson's Garden Center. Anderson's with two locations, one in Virginia Beach (opened in 2016) and one in Newport News (opened in 1954), is owned by Melissa and Jason Blanchette. Like one may expect from a garden center, they sell trees, shrubs, house plants, and succulents. But these days, Anderson's is much more than that.

At the Virginia Beach location, after shoppers purchase their gardening goods, they can enjoy a dinner at Sage Kitchen Bar. Or, they can play a round of mini golf while enjoying a beer or cocktail (the course has cup holders at each hole). There is also a video game arcade and a large gift shop that contains a forest of "unreal" Christmas trees on display for the Holidays. The shop offers so much more than garden goods that, according to the Virginian Pilot, one could visit Anderson's and "not encounter a single living plant for sale."

The Andersons were inspired to re-approach their business model after the recession in 2008, and in doing so, they have worked to provide shoppers with a whole new experience that they wouldn't normally expect from a garden center (they did away with the term "nursery" because of its association with daycare centers.) Offering patrons a unique experience is important for Anderson's because it is one thing that online outlets like Amazon can't provide.

For the holidays, Anderson's is offering Christmas tree delivery for \$10. They will also pick up the tree and donate it to the Sandbridge Civic League where they will be used to bolster beaches and sand dunes. If you're looking for holiday garden decorations and a fun shopping experience for the whole family, stop in at Anderson's Garden Center or visit their website at [www.loveandersons.com](http://www.loveandersons.com).

## Family Corner



Avery graduated early with a Dance degree from ODU on the 14th and is working on launching a dance studio in 2020.



Ashley's family is ready for Santa! We are sure Christmas morning will be exciting.



## OYSTER STEW

As the weather gets cold, and the holidays bring the family around the table, one of my (Brandon) favorite dishes to serve is a classic oyster stew. This dish is simple to make but rich in flavor - it's little more than fresh oysters, milk, and cream. I start by sautéing onions and celery, then adding the juice from the jar of fresh oysters (strained to remove any grit). Next, I add milk, cream, and thyme. Heat until hot, but not boiling. Once hot, slide in the oysters. Heat until the oysters are warm; if overcooked, they will become tough and chewy. I like to add a sprinkle of Old Bay seasoning, a sliver of butter, and a touch of hot sauce. Enjoy!

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## *Kellam's Tech Tips:*

Last year at this time I discussed Amazon Echo ("Alexa") tips and tricks. As with all technology, its use has expanded, and I want to offer an updated list:

- You can share profiles geared to anyone in the home. Just say "Alexa, switch profile." To add additional accounts, go to your Amazon account online – *Settings>Account>Household Profile*.
  - You can even train Alexa to recognize each person's voice - *Settings>Account>Your Voice*
- Although Amazon Music is the standard service associated with the devices, you can make Spotify (or others) the standard so you don't have to tell it every time. Go to *Settings>Music & Media* to switch.
- As Alexa records all requests, you may be interested in the ability to clear that history. *Settings>History*
  - You can also delete recordings – *Settings>Alexa Privacy* (and can set it up to auto delete recordings and other privacy settings)
- Use Alexa to wake you to a specific song, album, playlist, or radio station. "Alexa, wake me up to [song, radio station, etc.] at [time]".
- Alexa can be linked to a huge variety of Apps, which it calls "Skills." This ranges from controlling home smart devices to workouts.
- Start your day with a flash briefing – a rundown of the news and weather. You can personalize the sources and topics. *Settings>Flash Briefing*.
- You can connect your Google, Microsoft, or Apple calendar to Alexa to ask it what is on the agenda. *Settings>Calendars*.
- Explore Easter Eggs. Alexa has a wide number of fun hidden features/games. Do an internet search for full list, but to start try "Alexa, start Star Wars quiz." (Of course!)

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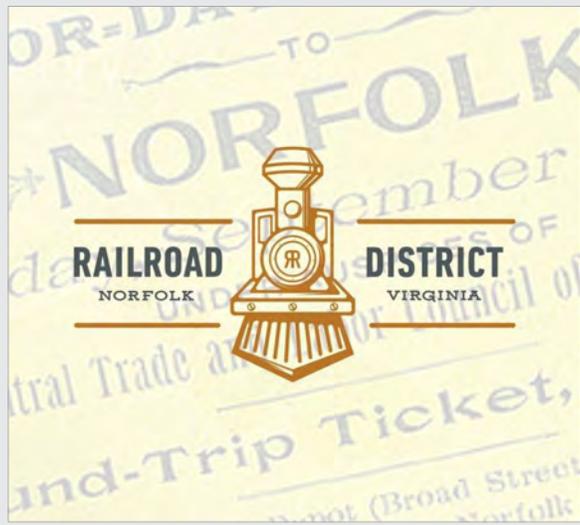
# STAYING *in Touch*

November 2019 Newsletter | VOLUME 8 - ISSUE 11 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Separation of Marital Property
- Norfolk's Railroad District
- Small Business Cyberattacks



## *Cybersecurity*



According to CNBC, over 40% of cyberattacks are aimed at small businesses. Additionally, more than half of all small businesses experienced a data breach. All together, these incidents and attacks are costing small businesses over \$200,000 on average annually, forcing many to go out of business. For informative blog posts on cybersecurity protection for your small business, visit our website at [www.pzlaw.com/blog/](http://www.pzlaw.com/blog/).



**Kellam's Corner:** We hope everyone has a wonderful Thanksgiving. Brandon and I are thankful we have such amazing people working with us at the firm. They allow us to help our many clients and continue to improve the way we operate.

The firm has some big news to share in next month's newsletter to round out 2019. We're excited about what it means for Parks Zeigler and look forward to announcing the development. Stay tuned!

*Kellam*

## *Did you know?*

Steinway & Sons air dropped pianos onto battlefields during World War II, complete with tuning instructions. They were called Victory Verticals or GI Steinways and were intended to lift the troops' spirits and provide a source of relaxation, which was certainly in high demand during the war. The pianos were manufactured at Steinway's factory in Queens, NY.





*"Be thankful for what you have, you'll end up having more."*

*— Oprah Winfrey*

## SEPARATION OF MARITAL PROPERTY AND ASSETS

Separation of marital property and assets can be complex in a divorce. Depending on how the property and assets in question were procured, they may be split between the two parties, or awarded to just one party.

Work compensation is considered marital property, and depending on how one is paid, it may demand specific attention during the separation. Many compensation structures include built-in contingencies and conditions that complicate the negotiations. For example, if one spouse is paid on commission, or there is a condition that must be met before compensation is paid, these circumstances may bear directly on settlement.

Below we briefly summarize three compensation structures that require special attention in divorce negotiations.

### **Stocks**

Negotiation of stock options can be complex. In some situations, stock options are considered marital property and others (e.g. future based stocks) may not be. Additionally, in a case where the stocks are marital, a 50/50 split may not be appropriate and the split ratio will be the subject of settlement negotiations. Other options include a payout based on the current value or one that is conditioned upon established contingencies.

### **Commissions and Bonuses**

Often there is a delay between work being done and the payment of a commission and/or bonus. If the work was done before the date of separation but the commission and/or bonus is not paid until after the parties separated, questions may arise as to whether the payment is considered marital property. If it is, then the amount

may be included in the division of assets between two spouses. However, that payment may also be considered as income when determining support obligations. This is considered "double-dipping" or "double counting" and consideration should be given as to whether it should be considered in both the division of assets and determination of income.

### **Severance Pay and Promised Future Compensation**

If a spouse is terminated prior to separation and is receiving severance pay, that continued severance pay after separation could be considered a marital asset. Likewise, if a spouse recently began new employment before separation and was promised future compensation, that compensation could also be considered a marital asset.

These situations can create a conflict in the divorce negotiations based on how the compensation is interpreted. This will have to be argued by your attorney, so be sure he or she has a thorough understanding of the factors.

When facing a divorce, it's best to begin working with an attorney right away to prepare for circumstances that may be legally ambiguous, such as questions about compensation structures. While the law may be clear as to how assets are to be divided or how income is to be determined, these issues are often part of negotiations, which is why disclosing all relevant information to your attorney is so important.

Please contact our experienced family law attorneys today if you have any questions about divorce, your compensation, or settlement possibilities.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



### Deb Dishes:

It's November! Let the Holiday celebrations begin! It also tends to get chilly, so warm hot bread is perfect for this month's recipe. This Four Ingredient Artisan Bread recipe was baked by Geri's great-nephew Graham McHugh. Graham is 8 years old and enjoyed making the bread with his grandma Fish. I thank them both for sharing, as it is easy to make and delicious to eat. You'll need 3 cups of flour, 1 tsp salt, ½ tsp yeast, and 1.5 cups of warm water. Stir flour, salt, yeast, and water until combined. Cover with plastic wrap. Let rest for 8-24 hours at room temperature. Turn dough onto a well-floured surface, form into a ball and let rest for 30 minutes. In the meantime, place high sided baking dish (Dutch oven works well) into the oven and preheat to 450 degrees for 30 minutes. Cut 'X' across the top of the dough and turn into hot baking dish. You can also turn the dough out onto floured parchment paper and then just lift the paper and dough into the Dutch oven. Cover dish (with lid or foil) and bake 30 minutes. Remove cover and bake 10-15 minutes until golden brown. Let cool and then slice. Break out the butter or jam & enjoy! See the full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## NORFOLK'S RAILROAD DISTRICT

If you've been around Norfolk and the Ghent neighborhood recently, you may have noticed two things. First – there are a lot of breweries popping up. Second, there is new life emerging from the recently branded "Railroad District" that sits between Ghent and Park Place. This month, a new establishment is continuing the growth trend for both.

As you drive north on Colonial Avenue crossing the railroads at Plaza Del Sol, you enter into the Railroad District which has been the location of a lot of activity in recent years centered around Toast, Handsome Biscuit, O'Connor Brewery, and more recently Mea Culpa Cafe. On November 9th, The Veil brewery out of Richmond opened its first Norfolk location where the Chophouse restaurant used to be located.

The Veil specializes in hazy IPAs and barrel-aged sours and is nationally renowned. However, its beers are not easy to get your hands on if you don't live in Richmond. The brewery's Tuesday beer releases in Richmond bring out excited fans who wait eagerly with coolers and lawn chairs. The beer releases will be held on Wednesday at the new Norfolk location. Needless to say, many beer lovers and aficionados are excited that the famous brewery has arrived in Norfolk.

We're excited to see how The Veil plans to fill out the large three-story structure. It will house a full kitchen and bar on each floor. We love to see Norfolk growing and we're excited to check it out!

### Family Corner



Congratulations to our paralegal Tiffany and her Fiancé Sarah on their recent engagement!



Ashley's son Camden wants to be a firefighter when he grows up. Naturally, he dressed like one for Halloween. Little brother Cole was thrilled to be the station's dalmatian!

### CRYSTAL PALATE

Circling back to wine this month for a new discovery. My (Kellam) wife, Kelly, recently discovered a wine boutique shop in East Beach and brought home one of their charcuterie boards. It was amazing and I had the chance to enjoy a wine tasting there recently with Kelly. The owner, Crystal Cameron-Schaad, is a WSET Diploma holder and is extremely knowledgeable. She and her staff are friendly and welcoming to persons of all levels of wine experience. I highly recommend stopping by. You can find more information at [www.crystalpalate.com](http://www.crystalpalate.com).



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### *Allison's Adage:*

Divorce is expensive, no question. People often try to draft their own agreement or try to find less expensive alternatives to hiring an attorney. One thing I have learned in my 16+ years of practice is that every word has meaning. Likewise, omitted words have meaning. What you include and don't include in your agreement is extremely important.

In many of my cases where the agreement is handwritten, or even when typed up by the parties or a non-lawyer mediator, litigation ensues because the parties disagree as to what was intended by certain terms. Or, terms are written in such a way that they are ambiguous or perhaps impossible to carry out. The cost of litigation is often higher than if the parties had hired an attorney to draft the agreement correctly in the first place.

It does not take much for an arrangement to be deemed an agreement or contract in Virginia. I had one case where the parties jotted down their agreement on a napkin, dated, and signed it. The Court found it was a valid agreement. Virginia law also does not allow for agreements to be voided very easily. The burden put on the person seeking to void or invalidate a signed agreement is extremely difficult to meet. Before you sign anything, I encourage you to seek the advice of an attorney. A one-hour consultation could save you thousands of dollars in the long run.

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## IN THIS ISSUE:

- Cybersecurity Awareness Month
- Girl Scouts Recipe Book
- E-scooters



**Brandon's Soapbox:** This has been an extremely busy and exciting month at Parks Zeigler. Erin McDaniel received word this month that she passed the Virginia Bar exam (we had no doubt) and we welcome her to our firm as an associate attorney focusing on cybersecurity and data privacy, civil litigation, and credit reporting disputes/consumer law.

Morgan McEwen has also recently joined the PZ team as an associate attorney. She is a graduate of William & Mary Law School and comes to us having spent a year as a Judicial Law Clerk for the Honorable Chief Judge Mary Jane Hall and the Honorable Jerrauld C. Jones in the Norfolk Circuit Court. Morgan's focus will be family law and civil litigation.

Dave Littel and his beautiful bride Sara have made it official and tied the knot this month. Congratulations to them both and we wish them the best as they start their new life together.

And finally, I would like to congratulate Kellam on winning the Great Legal Marketing's Marketer of the Year. Attorneys from all over the country (and even abroad) voted to recognize Kellam for the innovative and creative marketing campaigns that enable us to find the people whose problems we can solve.

*Brandon*

## *Personal Injury*



E-scooters have been the focus of much attention recently. They offer an inexpensive & fun way to get around, but have been involved in serious accidents. Statistics show that a majority of accidents occur on people's first rides. If you try it, use extreme caution and stay away from busy areas or rough roads for the first few rides. It might not hurt to talk to your insurance company to know who may be held liable if you are in an accident.

## *Did you know?*

You know the awful taste of orange juice when you drink it right after you brush your teeth? It's not just in your head or the result of a weird mix of flavors. The foaming ingredient in toothpaste blocks our ability to taste sweetness, which means that we only taste the acidity and bitterness of the juice.





*"October is the fallen leaf, but it is also a wider horizon more clearly seen."*

*— Hal Borland*

## CYBERSECURITY AWARENESS MONTH

October is Cybersecurity Awareness Month, and we want to offer some tips for protecting your information by adjusting your Facebook profile settings. Similar to other software applications and websites, Facebook updates its setting parameters and policies frequently, and users aren't always informed when they occur. We thought it would be helpful to take this opportunity to let you know about three things you can adjust on your Facebook profile that will allow for more control over who can see your information and data, and how it can be accessed.

### **Limit Data Collection**

The less data you make available, the more you reduce the chances of becoming a victim of a data breach. While Facebook has an economic interest in making your data available to advertisers, it does allow users to adjust their settings to reduce the amount of data available to third parties.

On Your Computer: Click the downward arrow at the top right corner of your Facebook page. Select Settings > Apps and Websites > Active > Click on the box next to the app's name > Remove.

### **Reduce Your Profile's Visibility**

All of the information you make available to the public is information that can be used to hijack your identity. As a general rule, we urge caution when sharing aspects of your life on social media feeds. Facebook allows you to control who can see your feed. Along those same lines, you can make it so your account isn't listed when searched for via Google or other search engines.

On Your Computer: Select Settings > Privacy > Your Activity/How People Can Find and Contact You > Edit.

### **Two-Factor Authentication**

This is a feature we recommend you use whenever possible. It requires an additional step to the log-in process making it more difficult for hackers to access your profile if they obtain your password. However, Facebook uses your phone number for 2FA which can make your information vulnerable elsewhere (your smartphone number is a key to a lot of information for hackers). If you wish to use Facebook's 2FA, you can adjust the settings to limit access to your phone number; or, there are other 2FA apps that you can use such as Google Authenticator.

On Your Computer: Select Settings > Security and Login > Use two-factor authentication > Edit

Identity protection is not just about protecting passwords, bank account numbers, social security numbers, etc., it should also include close attention to what we allow people to see on our social media profiles and in search engine results. All the information you post online, whether it be "sensitive" information or not, can be used to compile data that allows hackers to steal from you. Additionally, the more information you allow third party advertisers to collect, the more vulnerable you are when data breaches occur. One of the difficulties of maintaining your online security is keeping up with how frequently things change. If you don't adjust to the changes, you may be at a heightened risk. If you have any questions about your data privacy or cybersecurity, please contact us.

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## Deb Dishes:

October is a fun holiday month. I decided to make Jack O' Lanterns out of a family classic – Stuffed Peppers! You'll need 1.5-2 lbs. lean ground beef, 4 bell peppers, 1 small diced onion, 3 cloves of minced garlic, 8.8 oz bag of cooked rice, 16 oz can tomato sauce, 15 oz can of whole kernel corn, and 1 c shredded sharp cheese. Cut a small top off your peppers like you were carving a pumpkin. Core and carefully carve out the faces. Don't make the openings too large or your stuffing will fall out - unless you want a face expelling food. In a large skillet, brown the ground beef, onion, and garlic. I use lean beef that does not require draining after cooking, so if you have any of grease, sop it up and out of your pan. Add cooked rice, drained corn, and tomato sauce then stir well. Place some stuffing in a baking dish large enough to hold your peppers. Stuff your peppers, placing each one in your baking dish. Put the extra stuffing all around the peppers. You can place the tops back on, or not. As you can see in the picture, sliced cheese was used to make it look like they had hair. Some folks like it without cheese, so I skip the cheese on the extra stuffing. Bake for 20-30 minutes or until peppers are tender. See the full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## GIRL SCOUTS RECIPE BOOK

The Girls Scouts have always extended efforts to assist their communities, and that often takes the form of serving the needs of the less fortunate at local soup kitchens. Taking this motivation further, two local girl scouts, Alexi and Reeves, put together a cookbook of personally selected recipes meant for serving up to 100 people so volunteers could have a resource that allows for more diverse food options. They titled the cookbook "Helping the Hungry."

When asked how to improve their services, the feedback gathered by the Judeo-Christian Outreach Center suggested more menu variety. Alexi and Reeves received the message loud and clear and decided to do something about it. They collected and adapted 34 recipes for a variety of healthy dishes including Santa Fe Chicken, Rice and Bean Casserole, Thai Chicken Stir-fry, Harvest Salad, Hot Chicken Salad, and Creamy Parmesan Garlic Orzo. The dishes have proven to be a big hit, and the guests were extremely grateful to the two girl scouts for their care and hard work.

The generosity and spirit of Alexi and Reeves are heart-warming reminders that food, in addition to nutrition, can be the centerpiece for fostering deep connections between strangers, friends, and families alike. In an interview with the *Virginian Pilot*, Alexi said that the project was an opportunity to "combine her love for cooking with helping others," and that they "thought they could benefit from a more diverse menu because one of the greatest qualities of life is to enjoy good food." We couldn't agree more! If you are interested in a copy of the cookbook, send an email to [kerryonp@cox.net](mailto:kerryonp@cox.net).

## Family Corner



Deb has a new grandbaby. Rae Elisa was born October 4, 2019 to her son Paul and his wife Courtney. This is grandchild number 8!



Kellam and Kelly enjoyed a trip to Roanoke this month where Kellam spoke to the Roanoke Federal Bar Association. While there, they hiked up to see the Roanoke Star on Mill Mountain and enjoyed the view.



## Il Giardino - Little Neck

[Il Giardino](#) has long been one of my (Brandon) favorite restaurants in Virginia Beach and they recently opened a second "Little Neck" location. Both locations offer delicious Italian food and an intimate atmosphere perfect for a romantic night out, but the new location offers something special. Their "Love Locks" program allows you and your partner to commemorate your anniversary by attaching a lock with the date, names, and a small message to an ornate gate. It's the perfect place for a special evening out.

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## *Kellam's Tech Tips:*

iOS 13 was released in September and we're sharing some top tips about the newest offering from Apple in this month's Newsletter.

- Dark Mode – a feature many iOS users have requested, Apple now allows you to darken most things; which can be permanent, toggled on when needed, or scheduled. To access, go to Settings or the Control Center.
- New Settings – (a) Silence Unknown Callers; (b) Automatic Safari Tab Closing; (c) Optimize Battery Charging; and (d) Location Controls for Shared Images.
- Messages Profile – Your name and photo that people see when they communicate with you. It can be customized with an image you took, an Animoji, or a letter and can be shared with whom you desire.
- Swiping Keyboard – Apple has added a “QuickPath” keyboard, which allows for swipe gesturing to type if you prefer that method.
- Memoji/Animoji Stickers – If you like Memojis and Animojis, you'll love that they are now stickers available for sharing.
- New Photos App – There are now new Years, Months, and Days organization options. There are also new editing options and the added ability to edit videos.
- Maps – Apple had added a “Look Around” feature, which is similar to Google’s “Street View,” enabling you to see what is around on the street level.

These are just a few; there are a ton of other changes, which you can explore to suit your individual tastes.

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## IN THIS ISSUE:

- Staying Civil During a Divorce
- School Bus Cameras
- Mobile Phone Numbers and Identity Theft



## Technology



Many of us give out our phone number without pause, but in the era of smartphones it is worth reconsidering. Smartphones are connected to many accounts that hold sensitive information, and mobile numbers possess high value for thieves and hackers. A smartphone number can provide access to thorough dossiers on the identity to whom the number is attached. Please think twice before giving websites your mobile number.



**Kellam's Corner:** Back-to-school time again. We've enjoyed sharing our children's first-day pictures and seeing everyone else's as well. At the Parks household, Avery started her last semester at ODU and graduates early in December. She's started the planning of her dance studio, which will be launching next year. How time flies!

We're pleased to welcome Tiffany Pless as our newest paralegal. We welcome her experience and look forward to easing some of the workload from our other paralegals, who really stepped up to handle our growing caseload as we have searched for additional staff that meet our high standards.

Also, we're happy to announce that our office dog Oliver is now an Official Therapy Dog! He received his certification this month from Alliance of Therapy Dogs. If you know of a nursing home, hospital, or other facility that would like him to visit, send an email to [oliver@pzlaw.com](mailto:oliver@pzlaw.com). Check out his Facebook page at [www.facebook.com/OliverTheGreatDane](https://www.facebook.com/OliverTheGreatDane) to see pictures and send your congrats!

## Kellam

## Did you know?

Squirrels' brains become larger for a short time every year. As they prepare for the winter and begin stashing nuts, their temporarily-increased brain size allows them to better remember where they stored their stash so they don't go hungry.





*"I attribute my success to this: I never gave or took any excuse."*

*— Florence Nightingale*

## STAYING CIVIL THROUGH A DIVORCE

Going through a divorce is one of the most stressful events a person can experience. In our years of experience practicing family law, we have seen the manifestations of this stress first hand. It is in our best interests, both professionally and personally, to help decrease the stress of our clients because it allows us to do our job more effectively. However, attorneys are not therapists.

Unfortunately, it is common for the stress of divorce to manifest negatively. Certain behaviors should be avoided because they can undermine the goal of divorce negotiations. The role of social media only heightens this potential. Maintaining composure, as difficult as it can be at times, is extremely important to ensuring that your interests are protected in the process. Momentary lapses in judgment due to anger or sadness can have a lasting impact.

Below, we've listed four behaviors that should be avoided during divorce negotiations.

### **Social Media Venting**

The hazards of social media concerning legal issues cannot be overstated, and it is no different for those going through a divorce. Everything that is posted to social media may potentially be used against you. One angry or implicative status update directed at your spouse or a comment that suggests you are to blame for some source of conflict can compromise your case.

### **Angry Texting/Calling/Emailing**

Similar to venting on social media, sending angry texts or voice mails to your spouse in a fit of sadness or anger can also be used against you. It may happen that an angry message or voice mail leads to a lasting negative impact for a child custody matter. If you

are inclined to express yourself to your ex, first ask yourself if it's something you'd want his or her attorney to see or hear, if the answer is "no," then don't do it.

### **Talking Bad About Your Spouse**

Bad mouthing your spouse around your children or to your friends is not a good idea. Your children should not be brought into arguments you have with your spouse. It puts them in a difficult position during what is already a confusing time for them emotionally. Additionally, what you say to your friends could end up being used against you. If the divorce is difficult, or particularly contentious, your private conversations could be brought to light in the discovery process.

### **Acting Out of Spite**

Avoid being needlessly mean or aggressive. Doing your part to maintain civility towards your spouse will only help your case. If your spouse is also working in his or her best interests, they will extend the same grace to you. Divorces tend to go more smoothly if spouses are able to communicate respectfully. This will ultimately reduce frustration and expense, which will go a long way in reducing over-all stress that may otherwise infect unrelated areas of your life, e.g. relationship with your children or in the workplace.

Following these suggestions may not be easy; we are well aware of how emotionally difficult divorce is on all fronts. However, paying attention to your behavior will help your case, and will help build on the positive and allow the points of conflict to be negotiated in a way that is most beneficial for all parties involved. If you have any questions about divorce, or any other family law matter, please contact us.

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## Deb Dishes:

It might be September, but I'm still in the quick meal mode so there is time to dash off to another outdoor event. I love Cordon Bleu, but it's not traditionally a quick meal to prepare. I also love crescent rolls and have made all sorts of quick meals with them. One short cut meal is Cordon Bleu Wraps. You don't even have to cook your chicken tenders, you can buy them from any fried chicken vendor. You will need to use: 1 can of crescent rolls, some Dijon mustard (or ranch or any favorite sauce/spread), 4 slices of Prosciutto ham (or deli ham of choice), 4 slices of provolone (or swiss) cheese, and 8 cooked breaded chicken tenderloins. If your chicken pieces are big or thick, I'd slice them lengthwise to be thinner. You can double everything if you have more people to feed or want to them as a party appetizer. Preheat oven to 450°. Separate dough into 8 triangles. Spread each triangle with a little Dijon mustard. Cut each slice of cheese and ham in half. Place a slice of ham and cheese on each triangle. Place a chicken tender on the pointy end of each triangle, rolling up to the wide side. Place each on an ungreased cookie sheet and bake for 16-20 minutes or until golden brown. See the full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## SCHOOL BUS CAMERAS

School buses transporting students to and from school often must stop and pick children up on busy roads. It is illegal for cars to swerve around the side of a school bus when one is stopped to let a child on, but many drivers remain undeterred. Studies report that on any given day over 80,000 drivers ignore the law. With these numbers in mind, Virginia Beach felt compelled to make changes considering the danger children are exposed to while waiting at school bus stops.

Earlier this year, the city ordered cameras to be installed on the sides of approximately 200 buses. Sensors activate the cameras when the bus's stop-arm extends. The cameras can detect vehicles passing in any direction, catch a GPS location, and get a photo of the license plate on violating cars. The fine for violating the law is \$250. According to the city, the goal isn't to raise revenue, but to deter drivers from putting children and themselves in danger. The cameras were free to install, and the company who installed them is paid a fraction of each citation resulting from the cameras.



Proponents of the new cameras say they've witnessed drivers whiz around stopped buses too often, and the unfortunate frequency of distracted driving just adds to the potential danger. The city wants drivers to know that it is serious in its efforts to protect its young students from becoming victims of another's recklessness. The city is ready to install more if the situation does not improve.

## Family Corner



Zach and his daughter Bellamy enjoying a live performance by local musician Logan Vath earlier this month in Norfolk.



Deb's grandson Scottie turned 5 this month. He had a great birthday celebration and scored two soccer goals.



**HUNT ROOM**  
EST'D 1927  
SOCIAL CLUB + TAVERN

## The Hunt Room at The Cavalier Hotel

I (Kellam) discussed my favorite wine spot last month. This month is my go-to bourbon spot – the Hunt Room; located in the bottom of the remodeled Cavalier Hotel at the Oceanfront in Virginia Beach. It is attached to Tarnished Truth Distilling, which offers locally brewed spirits. Hunt Room's whiskey and bourbon selection is excellent. It offers creative hand-crafted cocktails, and the food is superb. I highly recommend you check it out, if you haven't already. [www.huntroomvb.com](http://www.huntroomvb.com).

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## INSIDE THIS ISSUE:

- Staying Civil During a Divorce
- School Bus Cameras
- Mobile Phone Numbers and Identity Theft

### *Allison's Adage:*

When can spousal support be terminated? I recently had a client ask this question as she was advised by her previous attorney that the agreement she signed provided for spousal support even if she remarried. Unfortunately for her, that attorney was incorrect.

If spousal support is awarded by the Court (and not by agreement of the parties), the amount and duration of the support can be modified by the court in the future upon a material change in circumstances. Also, in accordance with § 20-109, it is subject to termination upon “the death of either party, remarriage of the spouse receiving support,” or “upon clear and convincing evidence that the spouse receiving support has been habitually cohabitating with another person in a relationship analogous to a marriage for one year or more. . . .”

If spousal support is agreed to by the parties, they can agree to make the support non-modifiable, but they must use the specific language set forth in § 20-109(c). The parties can also agree that the spousal support will not be subject to termination upon death, remarriage or cohabitation, but the agreement must expressly state the same. The case law on this subject is very clear and because the agreement my client entered into did not specifically state that spousal support was not subject to termination upon her remarriage, her right to the agreed-upon spousal support ended the day she remarried.

Before you enter into any agreement regarding spousal support, or any divorce issues for that matter, make sure you seek competent legal advice.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

# STAYING *in Touch*

August 2019 Newsletter | VOLUME 8 - ISSUE 8 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Why Don't People Have An Estate Plan?
- Facebook Legacy Contact
- Virginia Beach Housing Resource Center



## *Family Law*



Social media is often blamed for contributing to distractions and disengagement. However, a recent study from Kansas State suggests that these platforms can possess positive potential as well. Research shows that social media can help children navigate divorce by providing more ways to communicate with both parents, and more communicative agency. Underscored by attentive parenting, social media affordances can help maintain a routine and foster strong connections during a very delicate time.



**Brandon's Soapbox:** As summer comes to an end this month, Parks Zeigler continues to grow. Erin McDaniel completed the Virginia Bar Exam and has joined us full time. We are certain she will quickly become an integral member of our team. Also, please join us in welcoming our new legal assistants, Anne Velasco-Corsino and Katie Tocci.

As mentioned in the June newsletter, my family and I traveled to France for the 75th anniversary of D-Day. What a memorable trip it was. We visited all of the invasion beaches, did a two-day tour, and walked the field at Brecourt Manor (as seen in the second episode of Band of Brothers). The most touching part was the Normandy American Cemetery and Memorial in Colleville-sur-Mer. We met nine D-Day Veterans and heard taps being played under a clear blue sky. There was not a dry eye in the place, me included.

As August comes to an end, so do our summer hours. Starting September 3rd, we will go back to our normal operating hours 8:30 – 5:00 M-F. We would like to extend our best wishes to all of the students heading back to school this year, and as Dr. Spock said "Trust yourself. You know more than you think you do."

*Brandon*

## *Did you know?*

Facebook allows users to identify a "Legacy Contact" in the unfortunate situation that he or she passes away. If a legacy contact was selected, then that person gains limited control of the account. A legacy contact cannot read private messages, log into the account, or request/delete friends, but they can view posts, write a "pinned post," remove tags, remove the account, change profile pictures, etc. Go to "General" account settings to select your legacy contact.

Memorialization Settings	Your Legacy Contact
<ul style="list-style-type: none"> <li>• Manage tribute posts on your profile, which includes deciding who can post and who can see posts, deleting posts, and removing tags</li> <li>• Request the removal of your account</li> <li>• Respond to new friend requests</li> <li>• Update your profile picture and cover photo</li> </ul>	<p>Choose someone to look after your account after you pass away. They'll be able to:</p> <ul style="list-style-type: none"> <li>• Manage tribute posts on your profile, which includes deciding who can post and who can see posts, deleting posts, and removing tags</li> <li>• Request the removal of your account</li> <li>• Respond to new friend requests</li> <li>• Update your profile picture and cover photo</li> </ul> <p>Your legacy contact can only manage posts made after you've passed away. They won't be able to post as you or see your messages. <a href="#">Learn more.</a></p>



*"Family is a life jacket in the stormy sea of life."*

*- J.K. Rowling*

## WHY DON'T PEOPLE HAVE AN ESTATE PLAN?

Establishing an estate plan is an important step toward taking control of your life, your finances, and caring for your loved ones; however, oftentimes people are still indifferent or reluctant to address their estate planning. A 2019 Survey by Caring.com showed that only 4 in 10 American adults have a Will or Living Trust. Of those with children under the age of 18, just 36% of adults have an end of life plan in place. There are many reasons why people do not have a Will or Trust in place, but we have found the following to be the most common.

### **Procrastination**

Most people realize that they need a Will or a Trust and that having one can simplify matters for their family in the event of their death, but without the threat of imminent death, they don't prioritize it. However, death may be the result of a sudden event, in which case it's too late to plan. Even if it is not, people facing a terminal diagnosis don't want to spend time with their lawyer working on their estate plan; they want to spend time with their family.

### **Thinking It Is Unnecessary**

People often think they don't need a Will because they don't have significant assets, their situation is simple, or they don't have someone they want to inherit their assets. Regardless of the size of an estate or who might benefit from it, a Will allows someone to choose who gets his or her assets and simplifies the estate process. If a person dies without a Will, the law makes certain assumptions as to who should inherit and who gets to control the estate, as well as often financially penalizing the people inheriting.

### **They Think They Are Invincible**

Many people don't consider death a realistic or urgent threat. This is especially true of younger people. Parents of children under the age of 18, in particular, need a Will to name the guardian of their children and the trustee of funds held on behalf of their minor children; yet, according to a Caring.com study, only 36% have end of life planning in place.

### **Unsure Who To Select As Guardians**

People may not be sure who to pick to be guardians of their children or executor of their estates. These decisions can be difficult, but failure to decide, and failure to place decisions and desires into a valid estate plan, leaves these decisions up to the government.

### **Difficulty Dealing With The Idea Of Death**

People struggle to deal with the idea of their death. They don't want to imagine themselves not being here or think about their children in the care of someone other than themselves. Unfortunately, this can result in someone they would not pick raising their children. Worse, if the family doesn't agree, the fate of children might be decided in a contested and traumatic court battle.

We understand the obstacles (emotional and practical) that delay putting an estate plan in place; however, the potential consequences of needing an estate plan and not having one are much greater than the temporary inconvenience of establishing one. A good attorney will work with you through the details of the process while being sensitive to your circumstances.

Call us to set up a consult with our Wills, Trusts, and Estates attorney.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Any time is a good time for seafood, but in the summertime, it just tastes better! Here's an easy crab recipe that will surely become a favorite in your house. Bianca Rizzo, Geri's friend, recently baked this pie from her mother-in-law's recipe collection, and we all took the recipe home with us. Helen Rizzo ranked her recipes with the date she made them; this one was labeled "very good" from 2012. You will need 1 lb. fresh crabmeat, 4 eggs, 2 Tbsp flour, 1 c mayonnaise, 1 c whole milk, 1 (8oz) pkg shredded Cheddar cheese, 1 (8oz) pkg shredded Monterey Jack or Swiss cheese, 1 Tbsp minced onion, 1 Tbsp minced green pepper, ½ tsp. Old Bay seasoning, 1 pkg Pillsbury Pie Crust. Unfold pie crust and place in pie shell dish. Do not bake before filling. In a separate bowl, whisk the eggs, flour, mayo and milk for several minutes. Add remaining ingredients, stir well. Fill pie crust. Bake for about 50 minutes until top is golden. Cool for about 45 minutes before cutting to allow it to set. It heats up well, if you ever have any leftovers! You can also freeze it, once it is baked. See the full recipe and many more on our website at <https://www.pzlaw.com/library/recipes/>.

## VIRGINIA BEACH HOUSING RESOURCE CENTER

September 12th marks the first anniversary of the Virginia Beach Housing Resource Center. The center was built to provide much-needed assistance to the homeless community, and importantly, to make homelessness "rare, brief, and non-recurring." A defining strategy of the Resource Center was improving efficiency by adding Housing and Human Services, making it a one-stop-shop.



A year into its existence, the Housing Resource Center has connected 323 people to public assistance, 186 of those were connected with employment services, and 291 received assistance from the health center. Ruth Hill, the homeless services and Housing Resource Center administrator for the city's Department of Housing and Neighborhood Preservation, is happy with what the center has been able to do and contributes its success to the integration of these two departments.

The Center continues to adapt its services according to the information gathered from the individuals and families who seek assistance. There are a variety of issues that the Center must be prepared for, including substance abuse, victims of abuse, children with special needs, and missing documentation. We're proud that our officials are taking the issue of homelessness seriously and sensitively, taking care to focus on the root causes of the problem, and are also providing aid for families. All of these steps nurture a stronger local community.

## Family Corner



Congratulations to Erin McDaniel on her recent graduation from Regent University School of Law, where she graduated cum laude, 8th in her class.



Ambir and her boys spent a weekend in Charlotte testing out the NASCAR race track. Her older son drove for 8 minutes at 152mph and her younger son did a ride-along with a professional driver (since he doesn't have his license yet). They were definitely living their best lives that weekend.



## Chesapeake Bay Fishing

Summer fishing at the Chesapeake Bay Bridge-Tunnel (CBBT) is an angler's dream and I (Brandon) head out with my son as often as possible. This engineering marvel attracts an enormous number of fish species including cobia, redfish, flounder, striped bass, sheepshead, and many others. Fish can be caught year-round, but the summer months are my favorite. The Virginia Marine Resources Commission and their officers regulate the fisheries around the CBBT, so you must pay close attention to the size and catch limits. Remember - a bad day fishing is better than a good day in the office.

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## *Kellam's Tech Tips:*

This month I'm sharing a TV-setting tip that was recently highlighted by Tom Cruise and Mission Impossible - Fallout director Christopher McQuarrie. The issue is video interpellation, otherwise known as "motion smoothing." Those in the know understand this setting (which is default on most HD TVs) distorts the intended cinematic experience of content (though, ironically, it is meant to reduce motion blur for dynamic things such as live sports). The issue is that most content is filmed at a frame rate much lower than what modern TVs can display. The result is that motion smoothing adds in extra frames making the content look fake (sometimes called "the soap opera effect.")

Cruise and McQuarrie tweeted out a video on it, which was discussed by GQ. More details of the issue, and how to fix it on your television, can be found here: <https://bit.ly/2H4FVEZ>



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## IN THIS ISSUE:

- July 1 Changes in Virginia Law
- Local Camp For Traumatic Brain Injury Survivors
- Lottery Winner Forced To Split Winnings



### *Family Law*

#### People

Michigan Man Who Won \$80 Million Lottery Jackpot During Divorce Ordered to Pay Half to Ex-Wife

A Michigan man won \$30 million in the lottery but was forced to split the winnings with his soon to be ex-spouse because, even though they were already separated, the divorce was not yet final when he won. This wouldn't happen in Virginia, as state law is very clear about post-separation income. If one spouse wins the lottery after the couple is separated, but before the divorce is final, the winnings would not have to be split.



**Kellam's Corner:** We hope everyone had an enjoyable and safe 4th of July holiday. The Parks family's annual July OBX week vacation was excellent as always. Though not as sunny as we'd have preferred, still a relaxing time to recharge for the second half of the year.

The firm continues to grow to best serve our clients. We've hired a legal assistant to assist our paralegals and attorneys who starts work with us in the next month. We've also hired an associate attorney to assist us with our family law and civil litigation cases who starts in October after her clerkship ends with the Norfolk Circuit Court. We'll introduce you to our new team members as they arrive at the firm.

Be sure to keep us informed of your summer plans, we love to hear from our clients and friends.

### *Kellam*

## *Did you know?*

Why do we wear a wedding ring on the "ring finger"? The tradition dates back to ancient Rome when it was believed that a vein in that finger led straight to the heart. While science has since proven that there is no such vein, the tradition remains.





*"One must maintain a little bit of summer,  
even in the middle of winter."*

*— Henry David Thoreau*

## JULY 1 CHANGES IN VIRGINIA LAW

July 1 is the date most new laws passed by the Virginia Legislature take effect. Here are some of the more notable changes this year, with the link to the new laws' text beside each.

### **HB 1911 – Duties of drivers of vehicles approaching stationary vehicles displaying warning lights; penalty**

<https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+CHAP0850>

A driver's failure to move into a nonadjacent lane on a highway with at least four lanes when approaching a stationary vehicle displaying flashing, blinking, or alternating blue, red, or amber lights is now reckless driving. This is a class 1 misdemeanor punishable by up to 12 months in jail. The former law set a fine of up to \$250 for the first offense.

### **HB 2748 – Tobacco products, nicotine vapor products, etc.; purchase, possession, and sale**

<http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+CHAP0102>

You now have to be 21 years of age to purchase tobacco and nicotine products. This includes cigarettes and vape machines, as the latter has become very popular and the target of health and safety concerns. Those with a valid Military ID can still purchase these products at 18.

### **HB 1814 – Deferral of jury service; persons who have legal custody of and are responsible for the care of a child.**

<https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+CHAP0518>

A court may defer or limit jury service of persons who have legal custody of and are responsible for a child or children 16 years of age or younger, requiring continuous care by such person during normal court hours to the term of court next after such period of responsibility ends.

### **HB 2488 - Driver's license; suspension for nonpayment of fines or costs.**

<http://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+HB2488>

Driver's licenses will no longer be suspended over unpaid fines. Those whose licenses are currently suspended due to fines (over 627,000 residents) will have them re-instated.

### **SB 1253 - Foster care; security freeze on credit report.**

<http://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+SB1253>

If a child has been in foster care for at least six months, state social services departments are required to put a credit freeze on that child's credit reports in order to prevent identity theft and the misuse of personal identifying information.

### **HB 708 - Forward-facing child restraint devices; requirement for transporting children.**

<http://lis.virginia.gov/cgi-bin/legp604.exe?181+sum+hb708>

All children are required to be in a rear-facing child car seat until the age of 2 or until they reach the minimum weight for a forward-facing child car seat as set by the manufacturer of the car seat.

### **SB 1604 - Cruelty to animals; increases penalty.**

<http://lis.virginia.gov/cgi-bin/legp604.exe?191+cab+SC10111SB1604+SBREF>

Torturing animals may now be punished with a jail sentence ranging from 2 – 10 years, and a \$100,000 fine. Previously the law stated that the animal had to die before charges could be made.

### **SB 1768 - Handheld personal communications devices; use while driving, etc.**

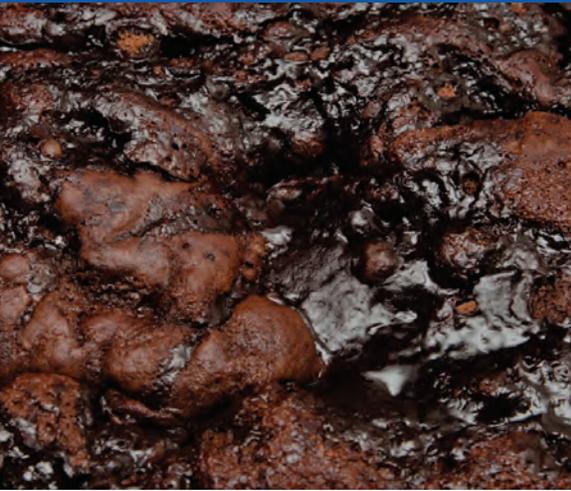
<http://lis.virginia.gov/cgi-bin/legp604.exe?191+cab+SC10204SB1768+RCSB2>

Holding a cell phone while driving through a highway construction zone is punishable by a mandatory fine of \$250. Previously, the law only prohibited the driver from reading an email or text, or manually texting. However, these stipulations are still included in the new law.

If you have any questions about these new laws or others, please contact us.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

I find chocolate a great comfort dessert and this Chocolate Pudding Cake is a longtime favorite with my family. The first time my mother made it, I thought it would be a disaster because you pour very hot water over the batter, which at my young age was just too weird a concept in baking. Of course, it turned out wonderful and we made it often. Time in the kitchen learning from my mother was wonderful time spent. Heat oven to 350°. Ingredients for cake part are: 1 c flour, ¾ c sugar, 2 Tbps Cocoa, 2 tsp baking powder, ¼ tsp salt, ½ c milk, 2 Tbps oil, 1 tsp vanilla. For pudding part: 1 c brown sugar, ¼ c cocoa, 1 ¾ c very hot water. In an ungreased pan, stir together flour, sugar, 2 Tbps cocoa, baking powder and salt. Mix in milk, oil & vanilla. Spread evenly in pan. Sprinkle with brown sugar and ¼ c cocoa. Pour hot water over batter. Bake for approx. 30-35 minutes. Cake part should be toothpick test ready. Will be warm and delicious straight from the oven and even better with a scoop of vanilla ice cream! See this full recipe and many more on our website: <http://www.pzlaw.com/library/recipes/>.

## LOCAL CAMP FOR TRAUMATIC BRAIN INJURY SURVIVORS

In our experience working with clients on medical malpractice cases, we understand the impact that traumatic brain injuries (TBIs) can have on individuals and their families. It can be extremely difficult to adapt to the changes that these types of injuries bring. That's why we are thankful for efforts to help victims of TBIs in ways that extend beyond their medical and legal needs – and there is a camp in Chesapeake that is doing just that.

Camp Bruce McCoy, organized by the Brain Injury Association of Virginia, happens annually at the Triple R Ranch in Chesapeake. It consists of two one-week-long gatherings from May 19 through June 1st that allow victims of brain injuries to socialize in a relaxed environment and take part in outdoor activities such as fishing and horseback riding. The value of this time lies in the opportunity it provides attendees to break away from the routine of their daily lives. It allows adults with brain injuries to “relax and have fun,” says camp counselor Brad Davis, which can be a rare pleasure when their days are normally informed by certain limitations and responsibilities. It also allows for their caregivers to take a much-deserved week off.

The camp, now in its 36th year, was started by a mother whose son underwent a TBI playing football. Anne McDonnell, the association's executive director, noted that what is often missing from the lives of brain injury victims is socialization, an important part of our lives that we often take for granted. Camp attendee Maralee says that “not as many people want to talk to you when you have an issue like that.” Opportunities like these provide a great service that meets important needs that can often be overlooked. More information can be found at <https://www.biaav.net/camp/>.

PARKS ZEIGLER SUMMER HOURS	
June 24th - August 30th	
Monday	8:00 - 5:30
Tuesday	8:00 - 5:30
Wednesday	8:00 - 5:30
Thursday	8:00 - 5:30
Friday	8:00 - 12:00

## Family Corner



Kelly and her family enjoyed a beautiful day celebrating her nephew's wedding.



Lia and her husband celebrated 4th of July at the Kiwanis Club Ice Cream Social in Colonial Williamsburg.

# Zoës



## Zoës Steak & Seafood

Having tackled various libations in past issues (wine, bourbon, and beer), I (Kellam) am going to suggest my favorite local establishments to enjoy these drinks over the coming months. I'll start with wine. Kelly's and my favorite restaurant for superior wine (and excellent food with impeccable service) is Zoës Steak & Seafood at the oceanfront. They were recently listed as one of America's Best Wine Restaurants by Wine Enthusiast Magazine; quite the honor and well-deserved. Be sure to get a wine pairing. <https://www.zoesvb.com/>

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## *Allison's Adage:*

This year's new laws did not have many significant changes to the family law area, however there are a few of note:

1. When proceeding with a no-fault divorce, the waiver of service of process can now be signed within a reasonable time prior to or after the suit is filed so long as the defendant is provided a copy of the Complaint (attached to the waiver or otherwise) and the final decree is signed by the defendant. In addition, the entire divorce packet (Complaint, Waiver, Affidavits, Proposed Decree, etc.) may be filed together and a divorce may be granted where the defendant has waived service and notice.
2. Section 20-107.3(G) was amended to require that "any determination of military retirement benefits shall be in accordance with" 10 U.S.C. 1408 et seq. The Court of Appeals recently ruled on this issue for the first time on a case I appealed. *Starr v. Starr*, Record No. 1824-18-1, (Va.App. 2019).
3. Courts now have the authority in §20-124.3 to order that the exchange of the child take place at an appropriate meeting place should either party request the same.
4. Medical evidence is admissible as evidence in preliminary protective order hearings where 24 hours' notice of such intention is provided.

The attorneys at Parks Zeigler are here to answer any questions you may have about how these changes may be applicable to your case or situation.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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## IN THIS ISSUE:

- Beware of Scams
- Mountain Bike Trails Coming Soon
- Wi-Fi Router Setting



## *Small Business*



The summer season means more traveling, and more traveling means you'll come across plenty of public WiFi networks. As tempting as it is to take advantage, don't forget that unprotected networks are favorite targets for cyberthieves. When traveling, we suggest you use a personal password-protected hotspot or a VPN to protect your sensitive information that would otherwise be vulnerable to theft.



**Brandon's Soapbox:** Summer has arrived and everyone here at Parks Zeigler has been moving fast. Caryn West has quickly become an integral and indispensable member of our team; her expertise with complex Trusts, Estates, and Wills has opened a new channel to serve our clients. Caryn's advice is essential to many of our existing divorce cases, as well as assisting us with our corporate clients' transactional needs.

Many of you know that I am an avid history buff. June 6th was the 75th anniversary of D-Day. I was able to travel to France this month with my family to experience this celebration and soak in the history. I look forward to sharing highlights from my trip in our August newsletter.

Starting June 24th and continuing until August 30th, our office will be switching to summer hours. We will be open Monday - Thursday from 8:00 to 5:30 and Friday from 8:00 to 12:00. We will be closed Friday afternoons.

*Brandon*

## *Did you know?*

Tarantulas keep small frogs as pets! We may assume that small frogs would be a tasty treat for Tarantulas, but research suggests that the spiders refrain from eating the frogs because they taste bad, and because the frogs protect the spider's eggs and offspring from predators.





*"It's kind of fun to do the impossible."*

*– Walt Disney*

## BEWARE OF SCAMS

Scammers will exploit any occasion in hopes of stealing money or sensitive information from people. Whether it be dating app scams that pop up around Valentine's Day, IRS scams during tax season (but can happen any time during the year), or charity scams in the wake of a natural disaster or tragedy – the important thing to remember is that scams can happen at any time, and scammers will use an endless array of methods to find their next victim.

However, while specific occasions do give rise to particular types of scams, there are general warning signs to look out for that are common in all types of scams. Knowing what these signs are is an effective way to protect yourself. Below, we offer three common things to be aware of when it comes to scams.

### **Gift cards**

If someone contacts you requesting or urging that you purchase gift cards and send the gift cards to a PO Box, or requests that you take a photo of the back of a gift card and text it to a number, it's a scam. Scammers love gift cards because, like cash, they don't leave a clear trace to the person using the card. Legitimate requests for funds or donations will offer a secure means by which to donate money (e.g. PayPal).

### **Pressure**

Any pressure or ultimatum to quickly provide information or transfer money is a red flag. Scammers often impersonate someone from a government agency (e.g. Social Security Administration or IRS) and will feign an urgency to the situation which can often confuse or scare the victim into action. This can be particularly successful

with older victims. Remember, government agencies do not contact people over the phone, but even if the caller claims to be from a private organization – any pressure placed on you to act quickly is a red flag.

### **Charities**

Charity scams play on emotions and urgency – as many fraudulent charities are launched quickly in the wake of a disaster or tragedy. If you are contacted via email or see a link on any social media platform, look to see when the charity was established, who is behind it, and find it on [www.CharityNavigator.org](http://www.CharityNavigator.org). Scammers are also using crowdfunding platforms such as GoFundMe due to the lack of oversight and because crowdfunding campaigns can be established and removed so easily. As a general rule, take 10 minutes to research the organization or campaign. In most cases, you'll be able to find that others have already had a negative or positive experience with the charity.



Scams that revolve around particular circumstances or events are successful because people are generally trusting, especially when it comes to charities or government agencies such as the IRS. Unfortunately, these scams have now become commonplace. We can't stress enough the value that a few minutes of research can provide in terms of protecting your money and information.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

I found this delicious chocolate dessert recipe – Chocolate, Date, and Almond Phyllo Coil. Dark chocolate, fruit & nuts. Take 10 oz package of phyllo dough, thawed, ¼ c unsalted butter, melted, mix-Confectioner’s sugar, cocoa powder & ground cinnamon for dusting. Filling: 6 Tbps unsalted butter, 4 oz dark chocolate, chopped into small pieces, 1 c ground almonds, 2/3 c chopped dates, ½ c confectioner’s sugar, 2 tsp rosewater, ½ tsp ground cinnamon. Preheat oven to 350°. Grease an 8-inch round cake pan. To make the filling, melt the butter with the chocolate, then stir in the other ingredients to make a paste. Let cool. Layout one sheet of phyllo. Brush lightly with melted butter, then lay a second sheet on top and brush lightly with butter. Roll a handful of the chocolate almond mixture into a long sausage shape and place along the long edge of the layered phyllo. Roll the pastry tight around the filling to make a roll. Keep the roll even, shaping with your hands. Place the roll in the pan, coiling it around against the sides. Make enough rolls to fill the pan and fit them in place. Brush the coil with the melted butter. Bake in the oven for 25-30 minutes, until pastry is golden brown and crisp. Serve warm, dusted with the mixture of confection’s sugar, cocoa and cinnamon. See this full recipe and many more on our website: <http://www.pzlaw.com/library/recipes/>.

## MOUNTAIN BIKE TRAILS COMING SOON

Mountain bikers rejoice! If everything goes as planned there will soon be designated trails for mountain bikers at First Landing State Park. Right now, mountain bike enthusiasts ride along “ghost trails” (small unmarked paths) which is prohibited. With the support from Virginia Senator Bill DeSteph, efforts are underway to establish newly designated trails for mountain bikes. An environmental impact study is being done in a nature preserve area off Shore Drive in preparation to carve official paths. \$100,000 has been provided by the General Assembly to pay for the modifications thus far.

Mountain bikers typically prefer narrow winding paths that traverse through the woods; however, the only paths they are currently allowed to use are wider multi-use paths. This means that they must contend with other walkers and runners (sometimes with dogs), and this can increase the potential for accidents and injuries.

The area shows a lot of potential for exciting trails and there are several people on board to make sure they do it correctly. DeSteph is being assisted by longtime local bikers Liz Schleeper and Mike Hosang who are familiar with the area in question and will provide experienced guidance in making sure the trails are the best they can be. The Division of Natural Heritage is also performing a study to ensure that the trails steer clear of sensitive areas and are designed responsibly.

When complete, this will be the first designated mountain bike trail loop in Virginia Beach. If all goes as planned, it will be open by this time next year!

PARKS ZEIGLER SUMMER HOURS	
June 24th - August 30th	
Monday	8:00 - 5:30
Tuesday	8:00 - 5:30
Wednesday	8:00 - 5:30
Thursday	8:00 - 5:30
Friday	8:00 - 12:00

## Family Corner



Caryn and her husband participated in the Parade of Sail and enjoyed all of the Harborfest festivities this year.



Deb had a great 60th Birthday during a family trip to Rome, Italy! Here she is with Bryant & Braylon after their Vatican Museum and Sistine Chapel tour.



## She Crab Soup

She Crab soup is named for the “She-Crab”, or roe-carrying female crab. The orange crab roe is the key ingredient in the recipe. Meat from a female is sweeter tasting and more delicate. This soup is similar to a bisque, made rich with cream and sherry. If you do not have the time or interest in experimenting, I (Brandon) think Mannino’s Italian Bistro has one of the best versions in town.

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## INSIDE THIS ISSUE:

- Beware of Scams
- Mountain Bike Trails Coming Soon
- Wi-Fi Router Setting

## *Kellam's Tech Tips:*

This month we're circling back to a topic I covered a few years ago – Wi-Fi Router settings. With the ever-increasing incidents of internet security breaches, it is important to stay secure. The settings of the router are controlled through an interface you access via your internet browser and there are a few basic things you should set up/change for best security/usage:

- Change default login – This is important to avoid security breaches. If you don't have the manual to your router, Google the name and you'll quickly find the web address to log into the router and the default login/password. Every manufacturer is different as to how the interface looks, but the basic settings are usually the same and there are good tutorials online on how to adjust your specific router. Worst case scenario, call customer service for the router for assistance.
- Security - You'll have several options for security, from none (NEVER use) to various security types. Without getting into the technical aspects, I recommend you use WPA2 - Personal or WPA2-PSK, as it may appear for your router. Pick a good passphrase (NOT your address or phone number) to ensure a secure login to your network. WPA3 was finalized in June of 2018 and is expected to roll out as the new standard this year.
- Set up Guest Access - When you have guests that want to use your Wi-Fi, it is best to have a separate login for them and most modern routers have this option. You'll set up a different password and can even limit access to the slower bands if your router is dual band (2.4GHz vs. 5GHz) to save the faster traffic for your home users.

There are a ton of settings you can modify, but these will get you started with the basics to ensure you are secure and can give access to guests.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

# STAYING *in Touch*

May 2019 Newsletter | VOLUME 8 - ISSUE 5 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Summertime Safety
- Wegmans
- Summer Camp and Visitation



## *Small Business*



If you own a small business, remember to keep your business and personal expenses separate. If you don't, tax time becomes more tedious because you then need to find the business purchases made to your personal account in order to write off the appropriate expenses. Conflating purchases also makes it more difficult to track profits. Perhaps most importantly, the protections provided by some business arrangements (an LLC for example) might be compromised if expenses are managed incorrectly.



**Kellam's Corner:** I'm pleased to report that I returned from my annual attendance at the Virginia State Bar's Tech Show in Richmond with excellent updated information from national leaders in the field of tech and law practice management. As always, we strive to implement the best and most up-to-date technological solutions to best serve our clients.

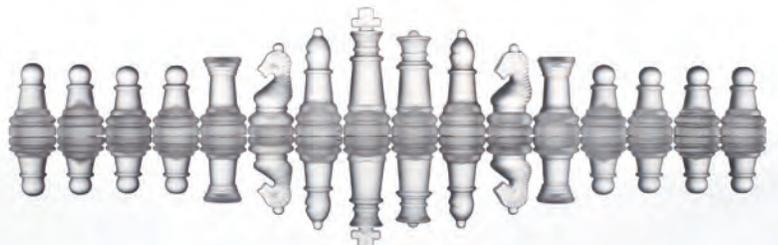
At home, Avery wrapped up her third year at ODU and is on track to graduate early in December. She's teaching at several local dance studios, including starting dance offerings at Oceana Naval Base as she prepares for life after college.

We look forward to hearing from you over the summer with your plans and, as always, feel free to come by and see us.

*Kellam*

## *Did you know?*

The famous chess phrase "checkmate" is derived from the Persian phrase "shah mat," which means "the king is dead." Knowing this makes the phrase that much more satisfying to claim proudly when you finally close in on your chess opponent!





*“Be sure you put your feet in the right place, then stand firm.”*

*— Abraham Lincoln*

## SUMMERTIME SAFETY

It’s almost June! The time of year when the kids are out of school, families go on vacation, and they all head to the beach. As our beaches and waterways become more crowded during the summer season, the chances for accidents and injury increase.

Beach and water safety are two main areas of concern for beachgoers. There are many preventable accidents, injuries, and deaths each year that result from irresponsibility. Remembering just a few things before going out can help prevent avoidable incidents.

### Beach Safety

Did you know that over 1,000 children are lost at the oceanfront each year? Summer crowds and the absence of clear visual markers make it easy for children to become separated from their families while at the beach. And, of course, the ocean currents can be dangerous for experienced and inexperienced swimmers alike. Below are a few tips to help make your trip to the beach as safe as it is fun.

- When arriving at the beach, take a selfie of your group in case officials need to identify and locate someone who is lost. Take a note of the nearest street and the number of the closest lifeguard stand.
- Establish a meeting spot where your group can meet in case of an emergency.
- Spotty sandbars can create rough currents. If you see someone struggling in the surf, quickly notify the nearest lifeguard. Do not go in after them, as many times the individual who tries to rescue a swimmer ends up in trouble as well.

### Boating Safety

Virginia Beach has plenty of options for boat enthusiasts, from big fishing boats out on the bay to small personal kayaks in Back Bay. In addition to some common sense things every boater should do (wear lifejackets!), there are some additional steps to take that will make it easier for rescuers to locate you.

- If you’re venturing out in a small kayak, use a permanent marker to fill out a “paddle smart sticker” and place it on the vessel so that if it is found unmanned, rescuers can find out if you’re safe. You can visit <https://www.cgaux.org> for more information.
- Download the Coastguard app and file a float plan when you head out on the water. Float plans notify the Coastguard of where you’ll be and for how long. You should also tell a friend or family member, so they are informed as well.
- Be sure you have a personal locator beacon or radio registered in your name.

Remember, there are laws governing your behavior on the water, just like there are on the road. Be sure to know what those laws are and to obey them, or else you could be ticketed or arrested.

Take these steps to ensure that rescue officials, be they lifeguards or the Coastguard, can respond to your distress calls more quickly and will not have to do as much preliminary work before setting out to do their job. If you are involved in a boating or beach incident and have questions, please contact us.

*We welcome your referrals!*

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## Deb Dishes:

Sheet-pan meals!!! They are so quick & easy, especially the cleanup part. I cover a large cookie sheet (with edges) in foil sheets and create three sections. Set oven to 425°. Take baby red potatoes and quarter them lengthwise. Mix a little olive oil and dry onion soup mix in bowl and then toss in the potatoes. Spread out on one section of your cookie sheet and bake 15-20 minutes, until somewhat tender. Take chicken breast and cut into smaller, like-sized/thickness pieces. Smear a little sour cream or mayo on the pieces and roll in panko or crushed crackers. Take washed asparagus and cut into 2-inch bites, sprinkle a little olive oil and salt & pepper over them. When you take out the potatoes, use cooking spray on the chicken section then place chicken in that section and the asparagus in the other. I've seen recipes where the meats and veggies are all over the pan, but I'd rather not have everything flavored the same. Roast an additional 15-20 minutes until chicken is cooked thoroughly and potatoes have browned. You can change up the veggies and meats and try adding fresh herbs, like rosemary, sage, and different rubs on the meats. You can go with Mexican flavors, Thai, or BBQ - the possibilities are endless! Happy eating! See this full recipe and many more on our website: <http://www.pzlaw.com/library/recipes/>.

## WEGMANS

Wegmans Grocery Store opened in Virginia Beach and is considered by many to be the best grocery store around. Last year it was ranked the number one grocery store chain in the United States. Fans of the store note its wide aisles, open market style produce and vegetable section, and outstanding customer service. Customers also love Wegmans' own-brand products.

The new store is located near our office so we felt compelled to attend the grand opening. It was as crowded as one would expect. We experienced first-hand the great customer service and wide aisles (which were much needed considering the crowd). What we loved most was the inclusion of local Virginia Beach and Norfolk items. You could find Three Ships Coffee, many local Virginia Beers, and S'mores Amore (a local company based in Norfolk).



Another advantage that Wegmans uses effectively is technology. We were introduced to the Wegmans app because an employee used it to help us. The app provides a better shopping experience by letting the employees focus more on their tasks while facilitating a more self-sufficient shopping experience for us. The app also allows you to plan your meals and add items to your shopping list (in the app), keep track of your favorite products (which it uses to help make suggestions for your shopping list), search for products you need, and search for meal ideas. The synchronicity of the app can make your shopping experience much less stressful. If you live nearby, stop in and see for yourself.

## Firm Spotlight

We are pleased to announce that Erin C. McDaniel has accepted a position with our firm. Erin was an intern with us while finishing her last semester at Regent University School of Law and will sit for the Virginia bar exam in July. Please join us in welcoming Erin to Parks Zeigler.



## Family Corner



Congratulations Jackie! Quite an impressive showing at the Tidewater African Violet Society Show where one of her plants won five ribbons.



Geri and her daughter Krista traveled to Denver for a volleyball tournament and took a side trip to Red Rocks Amphitheatre.

## Spontaneous Fermentation of Beer

Beer time again! The third fermentation method we're exploring is Spontaneous. This type occurs when beer is exposed to wild bacteria and yeast. These beers originated in Belgium and have expanded world-wide to interesting variations. Examples of this type of beer with some of my (Kellam's) favorites noted are: American Sour (Sierra Nevada Otra Vez); Belgian Fruit Lambic (Lindeman's Kriek); Flanders Red Ale (Rodenbach Grand Cru); and Belgian Gueuze (Boon Geuze).



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## INSIDE THIS ISSUE:

- Summertime Safety
- Wegmans
- Summer Camp and Visitation

## *Allison's Adage:*

### Summer Camp and Visitation

Summer visitation and the cost of summer camp seem to always be issues this time of the year. It used to be that exchanging proposed weeks for your summer parenting time by May 1 was sufficient. However, as I have recently experienced, if you do not have your summer camp's scheduled by April 1 or earlier, you are left scrambling to find reasonable summer care. So, what happens if the other parent schedules their summer parenting time during the one camp your child(ren) just has to go to? And, how much is too much for summer camps? Have you factored in those extra costs into your child support?

If your court orders do not provide answers to these questions and you run into these kinds of issues, it is important to obtain legal advice before you make decisions that could be detrimental to you and any future proceedings.



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## IN THIS ISSUE:

- Nonprobate Assets
- Gmail Updates
- Assembly - A Shared Workspace Community



## *Personal Injury*



Last year there were 6,227 pedestrian fatalities, the highest number of traffic-associated deaths in 30 years. Unfortunately, Virginia has not been immune from this trend. Studies suggest this increase is associated with the size of vehicles involved (high percentage of SUVs), and the rise in mobile device use while driving. Virginia lawmakers continue to seek ways to discourage distracted driving, but so far have struggled to agree on how to do so.



**Brandon's Soapbox:** 2019 is proving to be another year of growth for Parks Zeigler. We were fortunate to have had an outstanding intern in Erin McDaniel for the past few months. Due to her strong performance during her time with us, we found it imperative to add her to our team and we are pleased she said yes. Erin is an extraordinary young woman and we look forward to great things from her. We were likewise equally lucky to add Caryn West recently, who heads our Trust & Estates Department. Caryn, because of her talent, wears two hats and also leads the small business group. Caryn's skills allow us to more fully serve our business and divorce clients.

*Brandon*

## *Did you know?*

You should shut your phone off for at least one minute once a week. Doing this will help your phone retain memory, prolong the battery life, run more smoothly, and prevent crashes. Don't worry about leaving it plugged in overnight, modern phones protect against overcharging; just ensure it is properly ventilated, as overheating will degrade your lithium battery.





*"April hath put a spirit of youth in everything."*

*— William Shakespeare*

## NONPROBATE ASSETS

A Will governs what happens to your personal assets and real estate after your death, and it is an essential part of an estate plan. Court-supervised administration of an Estate, known as "Probate," is governed by what is in your Will. The Will states your wishes as to the guardian of minor children, who should serve as Executor, and who inherits your property. However, not all assets are dictated by a Will, and when you begin your estate planning it's important to know about other types of assets that convey to your heirs outside of your Will. We've listed six examples below.

**Life Insurance:** Life insurance companies pay the proceeds to the person that you name in a beneficiary designation. This is an essential part of the contract between you and the life insurance company stating they will pay your beneficiary the proceeds upon your death. If there is no beneficiary designated (or the designated beneficiary dies before you) those funds may go to your estate, which may have unintended consequences.

**Retirement Benefits:** Retirement Benefits also pass by beneficiary designation. When left directly to an individual beneficiary, that beneficiary can stretch taxable distributions out across their own lifetime, potentially reducing overall income taxes and allowing those funds to continue to grow pre-tax. But if there is no beneficiary designated, those funds could go to your estate, resulting in immediate taxes due on the entire balance.

**Payable on Death Accounts:** In the case of accounts that do not have beneficiary designations, you may be given a choice to designate them as "payable on death," in which case that asset will be paid directly to that person upon your death.

**Joint Bank Accounts:** Joint bank accounts pass to the surviving owner upon your death. When you added your child to your bank account as a joint owner to help you pay your bills, did you intend for that child to inherit whatever is in your bank account? Under Virginia law, a joint owner inherits whatever is in the bank account.

**Real Estate:** Held jointly with right of survivorship, real estate also passes by law to the other joint owner upon your death. Spouses often own real estate (and other property) as tenants by the entirety, a special type of ownership only available to spouses. This property passes to the surviving spouse automatically upon the first spouse's death.

**Trust Property:** Any property held in trust will not go through probate. Trustees hold title to trust assets and administer the assets after your death. In addition to their other benefits, trusts are a great tool to avoid probate and preserve privacy in settling your affairs.

Given the complexity of asset transfers at death, and the potentially serious consequences of mistakes, estate planning is much more than just a Will. Give us a call if you'd like to schedule a consultation with our trusts and estates attorney, Caryn West.

*We welcome your referrals!*

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## Deb Dishes:

Have you tried any of the meal delivery services? Thanks to Lia, I tried Hello Fresh and am quite pleased. Beside receiving fresh ingredients to quickly prepare meals, I'm tasting new flavor combinations that I am loving and can recreate on my own. One keeper recipe is Crispy Hot Honey Chicken. You'll need about 1 cup of panko breadcrumbs. Take 2 chicken breasts, pat dry, and sprinkle a little dry sweet & smoky BBQ seasoning over chicken with a dash of salt & pepper. Spread sour cream all over chicken (you can just season one side, per their recipe). Pat panko mixture over chicken and place on lightly oiled baking sheet, then bake at 425° for about 20-25 minutes until no longer pink. Drizzle some hot honey over the chicken – it's great!!

I usually cook with what's on hand. I use crushed Ritz crackers when I don't have panko. You can always modify their recipes. I did not eat the bun when I made a chicken sandwich recipe, because Bugg likes to eat bread and he can use all the extra carbs! It's fun to be experimenting in the kitchen again, even if it's just for me. Find this recipe in more detail on our website: <http://www.pzlaw.com/library/recipes/>.

## ASSEMBLY - A SHARED WORKSPACE COMMUNITY

Grow, a local creative innovation agency, continues to be a productive force in Norfolk and the Hampton Roads community. Last month Drew Ungvarsky, the company's founder and CEO, announced plans to refurbish a historic department store building located in downtown Norfolk, with plans to turn it into a shared workspace community called Assembly. Currently, the building, which is over 100,000 sq. feet and located at 400 Granby St., houses three city departments. However, the city plans to relocate those departments to make room for this new endeavor. According to Ungvarsky, this new space will become an "iconic building campus and community of inspiring creators and technology innovators."

With the announcement of his plans for Assembly, Ungvarsky and Grow further their efforts on creating small business opportunities for motivated entrepreneurs in our region. They played an integral role in the development and launch of Selden Markets in Norfolk, as well as Vibrant Spaces which offers unique opportunities through incentives to small businesses in downtown Norfolk. Assembly builds upon these efforts. Designed to "connect ideas and the people who make them," the space will include impromptu work areas, meeting rooms, a large conference room, a library, an event space, recreational amenities, and will host industrial and cultural events as well.

So far local companies Sway, WPA, and Flagship Visuals, in addition to Grow, have signed on as members of the Assembly community. If you are interested in learning more about Assembly and what the shared workspace has to offer, visit [Assemblynfk.com](http://Assemblynfk.com).

## Family Corner



Kellam and Kelly enjoyed the VTLA Annual Conference which was held at the Homestead in Hot Springs, VA.



Zach, who plays guitar in the band Mae, is shown here while on tour in Japan last month.



## Flounder - A Local Delicacy

Peak season for flounder starts this month and our waterways are notorious for some of the largest flounder available. The state record is held for a 17 lb., 8 oz. flounder which was caught at the Chesapeake Bay Bridge Tunnel in 1971. I (Brandon) like to use a mixture of panko bread crumbs, butter and parmesan cheese on top of the filets, then baking them for 20 minutes at 400 degrees. Cover with lump blue crab, cooked with garlic, red onions and butter (and a few sautéed artichokes hearts) and you have an amazing baked flounder imperial. Served with fresh lemon, of course!

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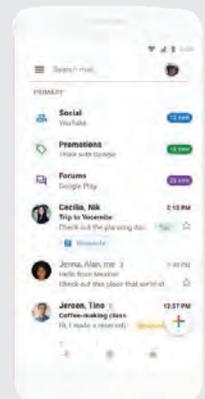
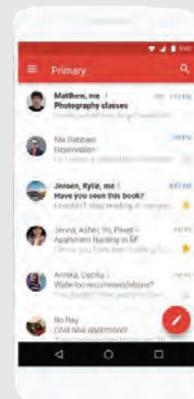
- Nonprobate Assets
- Gmail Updates
- Assembly - A Shared Workspace Community

## *Kellam's Tech Tips:*

This month I'm addressing a few changes that have come to Gmail. First, Google has first added right-click content menu options. To access the menu, just right-click a message in your inbox (hotkeys are also available; the Menu Key for Windows and Ctrl+click for Mac).

- Reply to, or forward, an email from the main page
- Search for emails by sender
- Search for emails by subject (requires conversation mode turned off)
- Open multiple emails in multiple new windows at the same time
- Quickly add a label or move an email

Google has also released a new interface for Gmail on mobile that makes it easier to view attachments, switch between accounts, and spot phishing emails. A comparison of the old vs. new look is shown to the right.



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## IN THIS ISSUE:

- Tips On Selecting A Tax Professional
- Tidewater African Violet Society
- Gaming Security



## *Credit*



If you or your children are “gamers,” be aware that internet gameplay is a frequent target for hackers. According to the Identity Theft Resource Center, one in five gamers has been a victim of a cyberattack. Online gaming accounts can include sensitive information and are often protected with weak passwords. It’s important to review your account information to ensure security measures are in place. If you link a credit card to your account, we recommend you use one with a low credit limit that isn’t linked to your other accounts.



**Kellam’s Corner:** This month marks the 4th anniversary of the firm becoming Parks Zeigler. We’ve grown tremendously since starting as a solo firm in 2012 and even from 2015 when Brandon joined. With the recent addition of Caryn West, we’re now at seven attorneys and twelve staff. We’ve expanded our practice areas and physical space to accommodate our clients’ needs. I am continually thankful for the hard work and dedication of everyone at the firm and to our clients whom we serve.

We’d like to welcome Lana Aronne as our newest paralegal. She comes to us from New York, having moved to the area to be close to her son and her grandchildren. We’re fortunate to have her wealth of experience at the firm to add to the level of service to our clients.

*Kellam*

## *Did you know?*

There is a tiny island off the coast of Virginia where you can watch rockets launch. Wallops Island, off the coast of Chincoteague, is home to a NASA rocket launch site. The visitors center offers bleacher seating in the parking lot and a perfect view of the launch pad. Download the *What’s Up at Wallops* app, which will provide schedules, descriptions, and launch status.





*"The first day of spring is one thing, and the first spring day is another. The difference between them is sometimes as great as a month."*

*— Henry Van Dyke*

## TIPS ON SELECTING A TAX PROFESSIONAL

It's March and tax time is upon us again. This time of year, hackers look to exploit the increased flow of sensitive information. They utilize specific tactics through phishing, imposter scams, data breaches, WiFi hacks, and stolen mail, all geared to snag your tax information. As we've pointed out before, the more online transactions that are completed, the possibility of data being compromised increases.

Our experience in assisting clients through their various legal needs has highlighted two important things: (1) The tax filing process can be daunting for consumers and (2) Despite a better understanding of how these attacks work, sensitive information remains highly vulnerable, and it has impacted millions of consumers.

Below we've listed both general and specific tips that will help protect your tax information.

There are habits you should maintain year-round, not just during tax season, to protect your information. Be sure that you protect your accounts with a strong password and two-factor authentication is preferred if offered. Do not conduct financial business on unsecured WiFi networks (e.g. Starbucks WiFi). Do not open suspicious emails. Remember, the IRS generally does not contact taxpayers via email.

As was mentioned above, the tax filing process can be daunting, and in the wake of recent tax legislation taking effect, it can be even more so. If you're looking to hire someone to do your taxes for you, do your research to ensure you hire an ethical and professional tax preparer. Below we've listed four helpful tips to help you know what to look for, and where to look.

- Go to the IRS preparer directory and find the name of the preparer you want to hire. Professional tax preparers are required to have a Preparer Tax Identification Number, or PTIN. If you don't see their name, do not hire them.
- Visit the state licensing board website to ensure that the preparer's license is valid and in good standing.
- Check out the Better Business Bureau and look for any complaints that may have been filed about your potential hire.
- If your preparer claims to be part of a professional association, visit the website to make sure they are actually a member. You can also contact the association to inquire about any complaints that may have been made against the preparer.

Taking these steps will help weed out problematic tax preparers and provide more information about others you may want to hire instead. The tax preparer industry is relatively unregulated, which means that unethical preparers can exist under the radar more easily.

Tax time demands extra scrutiny because of the increased activity of scammers and thieves. In addition to the general security measures you should maintain year-round, extra attention should be given to the unique threats such as specifically designed scams that target IRS dealings, as well as fraudulent tax preparers looking to take advantage of consumers. As always, if you have any questions, please contact us.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Who doesn't love hot bread with melted butter or cheese and bacon? I found two great ways to turn canned biscuits into yummy goodness; thank you Pillsbury for the inspiration: Jalapeño Loaf and Cheese Bacon Pull-a-parts. Take a can of round Grands King Hawaiian biscuits and cut each biscuit in half to be half as thick. Spread jalapeño cream cheese on biscuit and place a square of Colby-Monterey Jack cheese on top. Stack and place in foil lined loaf pan sideways. Bake 30-35 minutes, you may need to cover with foil the last 5 mins of baking, so you do not burn the bread. Next take Grands Flaky layer biscuits and cut each round into 4 pieces. Cut up and cook 6 slices of bacon, drain on paper towel and set aside. Melt 5 Tbs of butter, add 1 packet of Ranch dressing mix. Dip each biscuit piece in mixture and place in pie dish, making sure you get it coated with the spices. Once all pieces are in the pan, crumble bacon all over the top. Sprinkle 6-8 ozs. of shredded Mozzarella cheese on top. Bake for 20 minutes. I just served both at our last family supper and they were a big hit! Find this recipe in more detail, and many others, on our website: <http://www.pzlaw.com/library/recipes/>.

## THE TIDEWATER AFRICAN VIOLET SOCIETY

Tidewater African Violet Society Flower Show and Sale is being held on April 27 & 28th at the Norfolk Botanical Gardens. You will have an opportunity to purchase plants of your own, view some of the 18,000 registered varieties, and learn to care for these beautiful plants.

### TIDEWATER AFRICAN VIOLET SOCIETY PRESENTS ITS 35TH ANNUAL SHOW & SALE "VIOLETS ON BROADWAY"

DATE: APRIL 27-28, 2019  
PLACE: NORFOLK BOTANICAL GARDENS  
(ADMINISTRATION BLDG.)  
TIME: SAT. APRIL 27 1 PM - 5 PM  
SUN. APRIL 28 9 AM - 4 PM  
SHOW IS FREE WITH ADMISSION TO GARDENS

African violets were introduced in the United States in 1926 and after that, the enthusiasm for these beautiful blooming plants began. The interest in these plants continued with the creation of the African Violet Society of America and the first official show held in Atlanta, Georgia in 1946. African violet blooms come in all colors, shapes, and sizes, and the plants themselves can be miniature, semi-miniature, standard, or trailing with solid green or variegated leaves.

African violets can live for a very long time if given the care they require: Lots of indirect light; a good potting mix with drainage and repotted at least once a year; weekly watering with room temperature water, and a good fertilizer mixed in; keep them in normal room temps, and give them some humidity (50%) especially in the dry winter months.

The Society welcomes you to the show to learn about what is considered America's favorite houseplant and meet one of our administrative staff Jackie, an active member of the society.

## Firm Spotlight



We are proud to announce Caryn R. West has joined us as our newest partner. Caryn comes to us with over 15 years' experience as a trusts & estates and business attorney, handling all aspects of estate planning and administration, as well as providing transactional assistance to business owners. Caryn can be reached at [cwest@pzlaw.com](mailto:cwest@pzlaw.com) or 757-427-4411.

## Family Corner



Judy's daughter Anabel surprised her mom with birthday cupcakes. Happy Birthday Judy!



Deb and her grandson Max celebrated his 9th birthday at Walt Disney World this month. It was his first trip to Disney. Happy Birthday Max!



## Bottom Fermentation

Diving back into beer – the second fermentation method we're exploring is Bottom Fermentation. This type requires a slower fermentation at cooler temps than ale production. Examples of this type of beer with some of my favorites noted are: Pale Lagers (Sierra Nevada Beer Camp Hoppy Lager) and Pilsners (Terrapin Beer Company Sound Czech Pils), Dark Lagers (New Belgium 1554), and German-Style Bocks (Troegenator Double Bock). Next time I (Kellam) will explore the third type of fermentation, Spontaneous.

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## INSIDE THIS ISSUE:

- Tips On Selecting A Tax Professional
- Tidewater African Violet Society
- Gaming Security

### *Allison Adage:*

When going through a divorce, it is vital to know how it will affect your estate planning documents, such as your will, trust, life insurance, etc. For example, does a divorce make your will or trust null and void or does it only nullify any provisions relating to your spouse? Can you change your beneficiary on your life insurance policies? If you don't change the beneficiary after the divorce is final, can your spouse still collect the life insurance proceeds?

Because some of these answers are not clear and the answer can depend on many factors, Virginia enacted § 20-111.1 of the Code of Virginia which now requires the following language be in every Final Decree of Divorce:

*Beneficiary designations for any death benefit, as defined in subsection B of § 20-111.1 of the Code of Virginia, made payable to a former spouse may or may not be automatically revoked by operation of law upon the entry of a final decree of annulment or divorce. If a party intends to revoke any beneficiary designation made payable to a former spouse following the annulment or divorce, the party is responsible for following any and all instructions to change such beneficiary designation given by the provider of the death benefit. Otherwise, existing beneficiary designations may remain in full force and effect after the entry of a final decree of annulment or divorce.*

Should you have these issues or simply want to have estate planning documents prepared or revised, please come see us at Parks Zeigler. In addition to our Family Law attorneys, we now have a Wills, Trusts and Estates attorney, Caryn West, to assist with your estate planning needs.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

# STAYING *in Touch*

February 2019 Newsletter | VOLUME 8 - ISSUE 2 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- The Use of Co-Parenting Apps
- IKEA Is Set To Open in Norfolk
- Costa Rican Coffee



## *Small Business*



If you own a small business, you should have cybersecurity insurance. One news story recently reported that a determined hacker penetrated numerous security protections of a small Asbury Park business, effectively taking control from the owners. What this shows is that, even if you take steps to protect your interests, you are still vulnerable, and this is where cybersecurity insurance can provide crucial assistance.



**Brandon's Soapbox:** February is the shortest month of the year but often one of the busiest as people attempt to commit to their resolutions. For me personally, I have committed to reading more. I will complete a book at least every other month along with the weekly and monthly selections of magazines that I receive.

It is hard to believe that we have been at our new location for almost a year. We have managed to fill it almost to capacity. Caryn West, our newest partner, joins us March 1. She will expand the services we can provide our clients with her 15 years' experience in estate planning and trust administration, as well as assist us with our business transactional work. We are very fortunate that she chose Parks Zeigler to return to private practice after having worked with a regional bank. The firm is right on track for its 2019 goals and Caryn's addition is a big part of that.

*Brandon*

## *Did you know?*

Candy hearts, a long-loved candy synonymous with Valentine's Day, are no longer! Necco brands, the oldest continuously operating candy company, was sold last year to another manufacturer and the plant that produces them was closed. Apparently, the shutdown came as a surprise to the 200 factory workers who were suddenly laid off with no warning.





*"Be patient and calm;  
no one can catch a fish with anger."*

*— Herbert Hoover*

## THE USE OF CO-PARENTING APPS

Parks Zeigler is committed to the use of technology and how it can assist in our daily operations as well as our clients' experience. Family law is one particular area where technology can help our clients manage their situations. We know firsthand how technology can help keep our work organized, streamline communication with our clients and colleagues, and provide our clients with 24-7 access to relevant information about their case. Understanding these advantages, as well as what we've learned from assisting clients through the process of splitting with a partner, we wanted to share some information about mobile co-parenting apps, as they are becoming more common and utilized by some local courts.

There are several co-parenting apps on the market, and they each have small differences geared toward specific needs. Our Family Wizard, 2 Houses, and Coparently are a few. We do not recommend or endorse any specific app, it is up to you to research your options to find one that best fits your situation. However, despite variations, the value of co-parenting apps centers around three broad dimensions:

- **Organization:** The process of splitting with a partner and subsequent adjustment period is a stressful time of transition that brings new pressures alongside your routine tasks. New obligations arise that must be tended to in relation to the process itself, but the responsibilities that constantly require attention don't cease. Co-parenting apps can help keep the numerous demands of your life more organized. Some apps can be integrated with other scheduling platforms so that all your daily obligations, schedules, playdates, etc. can live in one place. Keeping your life organized will help reduce stress, and less stress means often less unnecessary conflict.

- **Communication:** As with all important relationships in your life, communication is key - even more so with your ex-partner with whom you have a child. Co-parenting apps can help mediate your communication to keep it more respectful, less emotionally driven, and more productive. Some parenting apps go as far as using AI technology to suggest more diplomatic words with the intention of prohibiting emotionally reactive words that may be detrimental to your case and ultimate end-goal - a manageable and respectful relationship with your ex-partner that revolves around your child(ren). What you say to an ex-partner, especially via text messages, can be used against you in court.
- **Saving Money:** Attention to organization and communication can help maintain diplomacy and keep both parties more goal oriented, which in turn can keep disagreements from escalating and requiring more costly legal attention. Many conflicts that arise between partners do not require court intervention but end up there because emotions needlessly elevate the tension to a point where both partners are more interested in "winning" than working through the disagreement together. The more issues that can be worked out outside of court, the less the case will cost.

When parents are more in control of their daily routines and new obligations, are able to maintain respectful communication with their ex-partners, and also keep legal costs down (all of which can be made easier with co-parenting apps), the most important role for parents is made easier - tending to the interests and need of their child(ren) through a very difficult time for all parties involved. If you have any questions about family law and the various ways technology help serve your needs, please contact us.

*We welcome your referrals!*

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## Deb Dishes:

I am not a huge fan of cooked fruit dishes, but I love this quick & easy recipe and it's one of my daughter's favorites. We call it Peach Stuff and it makes for a nice winter dessert. You will need 1 cup of Bisquick, 1 cup of sugar, 1 cup of milk, ½ cup of melted butter and a can of peach pie filling. Pre-heat oven to 375°. Place one stick (1/2 c) of butter in a baking dish (8x8 or 2 quarts) and place in oven to melt only. Mix Bisquick, sugar and milk together. Pour into dish with melted butter and gently stir to mix. Drop peach pie filling into the batter a spoonful at a time – be sure to scrape all the gel into the dish as well. The gooeyness that occurs is my favorite part! I've also been known to add a few drops of color to the Bisquick mixture, depending on the holiday. If you like spiced fruity bakes, you can also add a teaspoon of cinnamon and/or ground nutmeg and cut back on sugar for a less sweet taste. Bake for 30 minutes, top should be golden brown. Serve alone or with a scoop of vanilla ice cream. Find this recipe in more detail, and many others, on our website: <http://www.pzlaw.com/library/recipes/>.

## IKEA IS SET TO OPEN IN NORFOLK

By now, the large blue IKEA building and yellow logo are clearly visible from I-64 and it is nearing completion. It is set to open on April 10th and will hire 250 people to help us as we aimlessly wander through its guided aisles and shop amongst the 10,000 items that will line the shelves and floor! Along with its modern, moderately priced furniture and a 354-seat restaurant, it will also bring an environmental focus that is surely welcome to our region.

Installed on the roof of the building will be a 180,000 square-foot solar field that boasts 3,654 panels, and it will generate a substantial 1,743,000 kilowatt hours for the store annually. This means that it will save 1,233 metric tons of carbon dioxide from entering the atmosphere, equal to the emissions of 262 cars yearly.

The store will also have three Blink electric car charging stations which will further serve the company's focus on environmental consciousness. A statement from IKEA sustainability manager Lisa Davis emphasizes their commitment to sustainability and their desire to have a "positive impact on people and the planet," and the larger goal of achieving energy independence by 2020. IKEA will certainly provide an economic boost for our community, and their attention to its environmental impacts in a region so vulnerable to sea level rise is an added plus to the company's mission in Hampton Roads.



## Costa Rican Coffee

I (Brandon) like my coffee dark and strong. Costa Rica is well-known for its gourmet coffee beans with the famous Tarrazú considered among the finest beans in the world. Profits from coffee financed the construction of the first railroad in Costa Rica which in turn enabled coffee farmers to quickly export their goods abroad.

## Family Corner



Kelly and her husband Tom celebrated their 25th anniversary this month with a romantic trip to Savannah, GA. Congratulations!



Deb's youngest grandchild is turning 2 this month. Happy Birthday Aly, Grams loves you!

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## INSIDE THIS ISSUE:

- The Use of Co-Parenting Apps
- IKEA Is Set To Open in Norfolk
- Costa Rican Coffee

## *Kellam's Tech Tips:*

This month I'm discussing note-taking apps to allow you to maximize your productivity. I'm going to discuss three top options available with links to excellent guides on each of them. I use mine daily and can't imagine working without it.

- OneNote: This is the app I use. It is Microsoft's offering and comes packaged with a 365 account. It also happens to be independently free for use (the only charge is if you need more OneDrive storage). It is incredibly powerful and integrates with just about everything. Some key limitations (depending on how you organize) are the ways to organize your notebooks, limited hierarchical organization, and tagging. <https://www.makeuseof.com/tag/microsoft-onenote-guide/>
- Evernote: Another powerful tool. It isn't free but is a great tool. This was my go-to before I went to OneNote. It also has limited hierarchical organization. <https://www.makeuseof.com/tag/how-to-use-evernote-the-missing-manual-full-text/>
- Notion: An alternate consideration that has unique offerings, such as their table feature = database. You can also create almost anything into a template. You can combine these two features to create powerful organization tools to keep track of items and then create notes/checklists under each item (e.g. video editing). <https://www.keepproductive.com/blog/notion-for-beginners>

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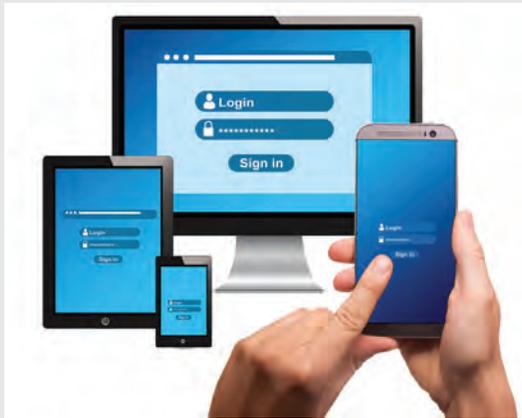
# STAYING *in Touch*

January 2019 Newsletter | VOLUME 8 - ISSUE 1 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Password Management
- Curbside Recycling
- Top Fermentation Beer



**Kellam's Corner:** Welcome to the New Year. Hard to believe it has been seven years since what has become Parks Zeigler started. We've grown from two (one attorney and one staff) to 17 (six attorneys and eleven staff); moved from a cramped, outdated, leased office to our spacious, modern, owned suites; and have added numerous technologies and practice areas to better serve those in need. We are thankful for the friends and clients that have made this possible. We're not done, though – we have exciting plans for 2019 which we'll share in the coming months.

We wish everyone a fantastic 2019 and, as always, would love to hear from you throughout the year.

*Kellam*

## *Personal Injury*



If you received a new pair of Apple AirPods or bluetooth headphones as a holiday gift, remember not to leave them in your ears while you're driving a car or riding your bike. In Virginia, it is illegal to wear headphones while driving because they render you unable to hear other traffic, car horns, and possibly even emergency vehicles with sirens blaring. Any stimuli that distracts drivers from the task at hand should be avoided, illegal or not.

## *Did you know?*

The first Monday of the new year is known as "Divorce Day." Law firms receive a spike in divorce or separation inquiries on this day. The speculated reason is that people are often filled with a sense of new year urgency to make change, which motivates big decisions to take advantage of the opportunity for new beginnings.





*"Be at War with your Vices, at Peace with your Neighbours, and let every New-Year find you a better Man."*

*– Ben Franklin*

## PASSWORD MANAGEMENT

Happy New Year! It's the first month of 2019 and it's more important than ever to pay attention to the passwords you use to protect your accounts. As the "internet of things" continues to expand, more of our lives are going online which means more passwords to maintain.

Unfortunately, the techniques hackers use to break into accounts are becoming more advanced. This dynamic creates an environment that asks more of consumers in two ways. First, more accounts mean more passwords, and secondly, the more passwords you have the more difficult it is to keep them all straight. The business of our daily lives may lead us to become complacent and take shortcuts when creating passwords, but now more than ever we must be more mindful.

To get you started on the right foot for the new year, we've listed five tips that you should keep in mind when creating new passwords, updating old passwords, and ensuring your information is as secure as possible.

1. Avoid using words that can be found in the dictionary. Words that appear in dictionaries are more searchable by hackers with tools at their disposal. The best solution is a passphrase. Easy to remember, impossible to guess, and long; is the expert-recommended solution. E.g. – "I\_l0ve\_h0rses!" You can insert numbers instead of letters (such as the "0s" for the "os" in "love" and "horses" for even more protection).
2. Don't be lazy! Did you know that in 2011 the top two passwords used were "password" and "123456" respectively, and in 2017, the top two passwords were "123456" and

"password?" We understand that frustration and impatience may lead to cutting corners when creating passwords for our plethora of online accounts, but this only benefits hackers and makes you vulnerable.

3. Use a password manager. Password managers are a great way to keep track of all of your passwords and change passwords regularly with little hassle. They also create randomized passwords for you. We can't recommend password managers enough!
4. Be wary of password testers. While there's no harm in using password testers, keep in mind that many are flawed. Research has shown that the results they produce are inconsistent, limited in what types of attack they protect against, and often even misleading in their results.
5. Avoid storing your passwords offline or digitally. In addition to the threat of theft, the information can be lost or the digital files damaged. This is another way a password manager can be useful.

Remember, there is no guaranteed way to protect your accounts and passwords, regardless of how savvy you may be. The most effective steps you can take are to continually be mindful of emerging threats, regularly change your passwords, keep up with best practices, and take immediate action if you do suspect foul play. For more information on keeping your information secure, visit our website.

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## Deb Dishes:

I love Carbonara and always thought it was high in fat due to a cream sauce. Here's a recipe that contains no cream sauce, but still tastes creamy. You'll need 4 ounces pancetta (cubed), 2 tablespoons extra-virgin olive oil, 4 garlic cloves, finely chopped (optional), 2 large eggs, 4 large egg yolks, 1 cup freshly grated Parmigiano-Reggiano (and more to serve), 1 lb. spaghetti pasta, 1 handful fresh flat-leaf parsley, chopped (optional). Beat eggs, egg yolks and 1 cup of cheese, stir well to prevent lumps. Cook pasta to al dente, 7-9 minutes, adding salt to boiling water. Save about 1 1/2 cup of the hot pasta water. I just scoop it out with a glass measuring cup before I drain the pasta. In a large Dutch oven, cook pancetta in olive oil for about 3 minutes over medium heat, if using garlic add to this for about 1 minute. Drain fat, reserving 2 tablespoons. Put the 2 tablespoons of fat, pancetta and 1/2 cup of pasta water in Dutch oven. Add the hot drained pasta and toss to coat. Slowly pour in egg mixture while you are tossing the pasta with thongs to coat. If too thick, add a little more of the reserve pasta water to thin. Serve with a crank of fresh black pepper & more cheese! Find this recipe in more detail, and many others, on our website: <http://www.pzlaw.com/library/recipes/>.

## CURBSIDE RECYCLING

Taking advantage of our cities' curbside recycling service can certainly help in keeping our community clean in 2019. However, if the local guidelines for recycling are not followed correctly, we may be doing more harm than good. Unfortunately, according to the Virginia Department of Environmental Quality, more plastics have been showing up in our water and washing up on our shores. Hampton Roads depends largely upon the environmental health of our waters, beaches, and parks, so being informed about local recycling is important for maintaining the beauty of our communities.

We generally think of plastics, cardboard, or Styrofoam as recyclable items, however cities and recycling plants are specific about the types of materials they will take. For example, bottle caps that are not attached to bottles, a greasy pizza box, wet cardboard, egg cartons, or plastic bags will not be accepted. The recycling guidelines for each city vary, so you should visit your city's website to see what is accepted and what is not. Adding to the confusion is that, in some cases, what recycling plants accept is different from what a particular locality may list as acceptable items.



The important point to remember is that if we don't pay attention to what we are doing when we recycle, it could potentially put a strain on the recycling centers themselves, which will have an overall adverse impact on the economic and natural health of our communities. We should all try to do our part in keeping our local ecosystem clean. Be sure to check your cities guidelines on what items they accept.

## Family Corner



Deb's grandkids gathered at Kellam & Kelly's with their fun gifts from Miss Connie.



Allison and her family celebrated Christmas in their new home.



Richard and his beautiful wife enjoyed the holiday season.



## Top Fermentation Beer

I (Kellam) am back to the topic of beer and the first fermentation method we're exploring – Top Fermentation. Examples of this type of beer with some of my favorites noted are: Brown Ale (Brooklyn Brown Ale), Pale Ale (Sierra Nevada Pale Ale), India Pale Ale (Minute Man), Porter (AleVerks Bourbon Barrel Porter), Stout (Ibrik Bourbon & Turkish Coffee Stout), Belgian Style (Allagash White), and Wheat (Blue Moon Belgian White). There are a number of varieties within each type to explore. Stay tuned, next time I will explore Bottom Fermentation beers.

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## INSIDE THIS ISSUE:

- Password Management
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### *Allison's Adage:*

With the government shut down, a lot of people are not being paid. What does that mean for the person c? Unfortunately, despite not being paid, you are expected to continue paying whether the support is court ordered or by written agreement. Not paying your support obligation(s) could cause you to be found in contempt of court which could result in jail time, fines, and/or paying the other person's attorney fees. So, what do you do? If you are required to pay child or spousal support, and you find yourself in a situation where you are unable to meet those obligations, please follow these suggestions:

- 1) Seek legal advice. Depending on the terminology used for the support obligation, you may be able to seek a modification, even if it is just temporary.
- 2) Keep paying. If you are truly in a financial bind but make the effort to pay something, the Court may go easy on you.
- 3) Do not make frivolous expenditures. If you are still going out to eat, going on trips, getting your nails done, etc., the Court will most likely find these expenditures unnecessary and take the position that those funds should have been used to pay the support.
- 4) Talk to your spouse/former spouse. While having financial issues may be embarrassing, you should try to discuss the situation with your spouse/former spouse or your child(ren)'s other parent. Keeping them in the dark or forcing them to find out about your failure to pay all or a portion of your support once they do not receive it is not a smart way to handle the matter.

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## IN THIS ISSUE:

- Shop Small Businesses
- Holiday Light Displays
- Exploring Amazon Echo



*Photo courtesy of Kelly Parks*

## *Family Law*



The holidays are difficult for those recently divorced, and this year the two points that we want to emphasize are focus and reclamation. Of course, the needs of your children should be a priority. But please remember - it's OK to focus on your own needs, and reclaim the holidays for your new life. Self-care and new traditions go a long in helping to balance your past life and the possibilities of your new life.



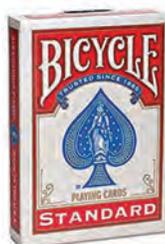
**Brandon's Soapbox:** As the year comes to an end, it is natural to reflect on the year gone by - the successes, the struggles, and the failures. It also is a time to look forward and plan our next endeavors.

In 2018, we moved our office from 3000 sq. ft. to 7500 sq. ft. and expanded our practice areas to include creditors' rights and commercial banking transactions. We also expanded our experience and areas where we can service new clients by the addition of a new partner and two excellent paralegals. I am proud of how our firm has grown and our continued commitment, regardless of our size, to recognize each client's individual needs, as well as our ability to craft a personalized solution.

In 2019, we will be expanding our practice again into Cybersecurity, headed up by Kellam. He was recently a guest on the Digital Detectives podcast discussing the topic of cybersecurity awareness for solos & small law firms. If you are interested in hearing this podcast, you can find it at <https://bit.ly/2EBysOr>. We also want to add Wills, Trusts & Estates to the firm and are still searching for the perfect attorney to join our practice. We are happy to wait to find the best fit but are ready to expand now if we find the right candidate. If you know of one, or would be interested in the details, please contact me.

Kellam and I, along with everyone at Parks Zeigler, would like to wish you a happy holiday season and all the best for 2019.

*Brandon*



## *Did you know?*

During WWII, Bicycle Playing Cards worked with American and British intelligence agencies to create a card that, when wet, revealed escape routes for POWs. The decks were given to POWs in Christmas parcels shipped by Red Cross. Card games were a common source of leisure for imprisoned troops and didn't arouse any suspicion for guards. Merry Christmas!



*"Efforts and courage are not enough  
without purpose and direction.*

*- JFK*

## SHOP SMALL BUSINESSES

Small business Saturday was at the end of November, and you probably saw many advertisements that emphasized the benefits of shopping at small businesses. But what are those benefits? As our shopping activity increasingly moves online to spaces like Amazon, Etsy, and everything in-between, why should we continue to venture into our communities and shop at our local small businesses? These are important questions, and below we've emphasized four main reasons that show why shopping at a small business is great for you, and great for your community.

### **Local Economy**

Perhaps the most quantifiable reason why shopping at local small businesses is beneficial is that, by doing so, you are also reinvesting financially into your community and city. Studies show that money spent in locally-owned establishments is re-circulated in the local economy more so than when you shop at national retailers. This means increased tax revenue for the city, which, in turn, means better services and amenities for our local residents. Also, small businesses are more likely to buy local as well. So, the more we shop at our small businesses, the more they will buy from other local businesses.



Congratulations to Allison Anders on being selected to serve as a Director on the Virginia Beach Bar Association (VBBA) Board of Directors for 2019. The announcement was made at the recent VBBA holiday party where she and Brandon (past president of the VBBA) enjoyed the festivities. We are proud to serve our legal community!

### **Know Your Product**

Shopping local offers consumers a higher degree of knowledge about where the products come from. This is especially beneficial when it comes to the fruits and vegetables you buy. As we're all aware, romaine lettuce was recently off-limits because of E. coli threats. How many times has Chipotle been put on notice for their sale of tainted food? Local small businesses depend on their reputation and will stand behind their product, which means that you are better informed as a consumer on what you are purchasing.

### **Unique Communities**

The more successful small businesses are, the more unique and appealing our communities will be for residents and visitors alike. National chain businesses employ strategies prioritizing different interests that are often indifferent to the fabric of our local communities. A healthy environment for small businesses will contribute to a unique character that enriches our city.

### **Small businesses give back.**

A survey conducted in 2016 of 1,400 small businesses showed that over half planned to give to charity, or already had done so that year. Further, 46% of those businesses said that they plan to donate up to \$1,000. A key dimension to these figures is that local businesses are more likely to donate to charities that tend more to the needs of our local communities.

Next time you plan to do some shopping, we invite you to consider the mutual benefits that come with shopping local! It's good for the community and good for you. For these reasons and others, we are extremely proud of the work we do to help entrepreneurs and small businesses. If you have any questions, please contact us.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Since the new Grinch movie is out, I thought it would be fun to make Grinch cookies! We loved the movie AND the cookies! Take 1 box vanilla cake mix, 1/3 to 1/2 c oil, 2 eggs, green food coloring, 1-2 c powdered sugar, heart-shaped sprinkles or heart-shaped Red Hots. Preheat oven to 350°. Mix together the oil, cake mix, eggs, and food coloring. Place bowl in fridge to firm up a little, about 10 minutes. Put powdered sugar in a small bowl. Using a cookie scoop, scoop out a ball of dough and place in powdered sugar. Roll around. You may need to roll dough by hand to get the ball shape and size you prefer. Place on ungreased cookie sheet approximately 2 inches apart. I like to line my cookie sheet with mats or parchment paper. Add one red heart sprinkle to each cookie. Bake 10-12 minutes, they should puff up, but will deflate some as they cool. Remember, this started as a cake batter, so there should be no need to go more than 12 minutes to obtain the correct consistency. You do not want brown and/or crunchy cookies. Remove from pan onto cooling racks. Find this recipe in more detail, and many others, on our website: <http://www.pzlaw.com/library/recipes/>.

## HOLIDAY LIGHT DISPLAYS

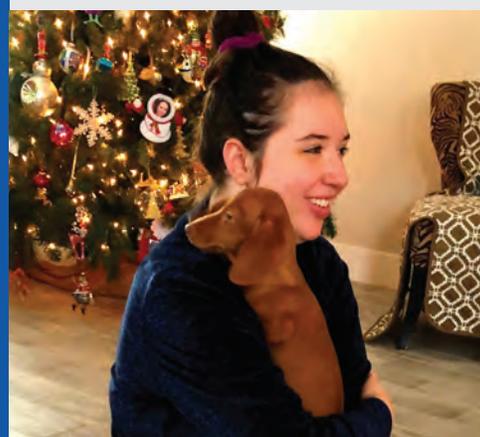
The holiday season is in full swing, and for all the commotion and pressure that comes with it, there is still so much that gives us joy – like the beautiful holiday light displays and celebrations!

The cities of Hampton Roads host numerous fun, beautiful, and festive decorations that celebrate this wonderful time of the year. We urge you to have a night out with your friends and family and enjoy some of these displays!

- The Norfolk Botanical Gardens is hosting the Garden of Lights through December, 31st, one of most popular drive through displays in Hampton Roads.
- At the oceanfront, you can take in The Merry Mile, beautiful lights on the Boardwalk between 8th Street and 22nd Street.
- Newport News Celebration in Lights is on display until January 1st. From the comfort of your vehicle, you leisurely make your way through Newport News Park while soaking up the holiday spirit.
- In Portsmouth, visit Winter Wonderland: The Coleman Collection at the Portsmouth Arts and Cultural Center. Here you can enjoy all of the animated characters of Coleman's famous Winter Wonderland collection from years past.
- And, of course, don't forget about Busch Garden's magnificent Christmas Town which is open on select days until January 5th.

These are just a few of the displays happening through the holiday season; if we forgot one, let us know. We're happy to post about local events on our Facebook page. We wish you all a very happy and fulfilling Holiday season!

## Family Corner



Happy 21st Birthday to Kellam and Kelly's beautiful daughter Avery. Her grandmother surprised her with a new puppy, Penny!



Zach's daughter Bellamy enjoyed her first Christmas recital.



## Matzah Ball Soup - Jewish Penicillin

With the cold season upon us, there is nothing better than a hot bowl of Matzah Ball soup. This soup has long been touted as a form of folk medicine to treat symptoms of the common cold and at the first sign of cold season, you will find me (Brandon) in the kitchen making up a batch. I start by sautéing chicken thighs with onions seasoned with kosher salt, white pepper, and fresh garlic. Then add the carrots, celery, and fresh dill weed. Cook 4-5 minutes on medium heat, then add water and chicken base. Simmer for 45 minutes, add in homemade Matzah Balls, and you will be better in no time. Enjoy!

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## INSIDE THIS ISSUE:

- Shop Small Businesses
- Holiday Light Displays
- Exploring Amazon Echo

## *Kellam's Tech Tip:*

With the growing popularity of smart speakers, this month I'm exploring Amazon Echo ("Alexa") tips and tricks. Similar abilities are on Google's offering as well and can be found with a quick internet search.

- You can share profiles geared to anyone in the home. Just say "Alexa, switch profile." To add additional accounts, go to your Amazon account online – Settings>Account>Household Profile.
- Although Amazon Music is the standard service associated with the devices, you can make Spotify (or others) as the standard so you don't have to tell it every time. Go to Settings>Music & Media to switch.
- As Alexa records all requests, you may be interested in the ability to clear that history. Settings>History
- Use Alexa to wake you up with a specific song, album, playlist, or radio station. "Alexa, wake me up to [song, radio station, etc.] at [time]."
- You can change Alexa's default accent. Settings>[Device]>Language
- Alexa can be linked to a huge variety of apps, which it calls "Skills." This ranges from controlling home smart devices to workouts.
- Start your day with a flash briefing – a rundown of the news and weather. You can personalize the sources and topics. Settings>Flash Briefing.
- You can connect your Google, Microsoft, or Apple calendar to Alexa to ask it what is on the agenda. Settings>Calendars.
- Explore Easter Eggs. Alexa has a wide number of fun hidden features/games. Do an internet search for full list, but to start try "Alexa, start Star Wars quiz." (Of course!)

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# STAYING *in Touch*

November 2018 Newsletter | VOLUME 7 - ISSUE 11 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Tech Support Scams
- Back Bay's Farmhouse Brewing Company
- Statistics on Cyber Security



*Credit*



New statistics show that one in five small businesses shut down permanently in the wake of a cyberattack. While loss of revenue and intellectual property certainly contributes to this pattern, oftentimes it is the result of owners not properly notifying customers, a mistake for which there are legal ramifications. Small business owners, do not ignore the threat of cyberattacks and associated laws. If you have any questions, please contact us.



**Kellam's Corner:** We hope that everyone has a wonderful Thanksgiving. Thank you to our wonderful clients and friends of the firm who refer people to us to help. We do our best every day to continue to earn your trust and provide assistance to those in need.

As to firm news, we continue to search for a paralegal to join our practice to assist with complicated civil matters, as well as an experienced Trust and Estates attorney. Finding the right fit for our team is paramount. We're working on a few projects as to head to the end of 2018 we hope to announce soon. Stay tuned.

*Kellam*

*Did you know?*

Thanksgiving became a National Holiday in 1863 after Sarah Josepha Hale, the same woman who wrote the song "Mary Had a Little Lamb," finally convinced then President Abraham Lincoln to make it so after writing letters to him for 17 years campaigning for the idea.





*"Life starts all over again  
when it gets crisp in the fall"*

*– F. Scott Fitzgerald*

## TECH SUPPORT SCAMS

News about tech support scams has been in the headlines more frequently over this past year. It is unfortunate, but not surprising considering the constantly evolving methods scammers are developing to exploit consumers. One of the reasons tech support scams are so effective is that they exploit the anxieties many of us already have about malware and identity theft.

With tech support scams, scammers pretend to be customer service technicians offering to fix an urgent problem with software on your computer. If successful, they can gain access to personal laptops and computers. After they are given access by consumers who think they are talking with a legitimate service rep, the scammer then gathers sensitive information or plants malware while working from within the computer. Please take a look at the four important points we've listed below to learn more about how these scams work and better protect yourself.

- In most cases, the scam is initiated through a phone call, a pop-up message on your computer or laptop, or an email – all of which will contain an "urgent message" about a problem with your computer or a particular software being used. Do not respond to any of these prompts, as reputable software companies do not contact you with unsolicited tech support. If you are curious, visit an official website to see if there is any relevant information pertaining to the message.
- Be wary of sponsored links. Scammers often put money into advertising and paid search results to appear at the top of search results hoping to redirect attention to their web-

sites. These links can appear legitimate. If there is any doubt at all, a simple Google search of the number listed will let you know if it is a fraudulent number.

- If you are a victim, there are several actions you should take. First, contact your bank and inform them of what happened. Second, take your computer to a trusted technician that can perform a scan. There are also software programs you can download to perform the scan yourself but be sure to re-search the software. Finally, change the passwords to your sensitive online accounts.
- Tech support scams can impact victims in two ways – they can lead to financial loss, but they also force the victim to take extra steps to ensure their computer is free of malware or other bugs that may still be exploiting information. These additional steps can be costly, stress-inducing, and time-consuming.

As always, we urge you to be vigilant when it comes to your activity online. The best defense is informing yourself on best practices when it comes to protection and reaction. If you have any further questions, please contact us. For more information on scams and other related matters, please visit our website at [www.pzlaw.com](http://www.pzlaw.com).

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## Deb Dishes:

I love most vegetables, and while nothing will ever replace the traditional lumpy mashed potatoes and chipotle gravy for holiday meals, I wanted to have a roasted alternative this year. Our family has eaten many a plate of roasted brussels sprouts, so I did a little research to find others. I love the colorfulness of veggie chips and thought this would add to our festive table setting. Growing up we ate these, but I never think to eat them now. I chose rutabagas, turnips, carrots, parsnips, and an onion. You will need about 3-4 pounds of vegetables, peel and cut into similar size cubes (1 inch at least) to bake evenly. I just sliced the onion in wedges. In a large bowl drizzle 4-5 Tbsp olive oil on vegetables. Mix in salt, pepper, and 2 Tbsp chopped fresh rosemary. Line 2 baking sheets with foil and lightly coat with cooking spray. Spread out the veggies. You do not want the vegetables to be crowded or you will get steamed, not roasted vegetables. Cook at 425° for 20 mins, turn vegetables and cook another 20 minutes until fork tender. A great thing about this little throw together meal is you can use any potatoes, beets, celeriac, jicama, butternut squash, or any other root veggie you like! Find this, and many other recipes on our website: <http://www.pzlaw.com/library/recipes/>.

## BACK BAY'S FARMHOUSE BREWING COMPANY

Our new favorite place to go have a few beers is Farmhouse Brewing Co., the newest effort from local favorites Back Bay Brewing (Check out their original location in the VIBE District of Virginia Beach). Located near the intersection of Kempsville Road and Centerville Turnpike in Virginia Beach, Farmhouse Brewing Co. is centered around a restored farmhouse from 1912 that sits on 8 acres of land.

There is no shortage of places to grab a beer, but Farmhouse has two things we especially love.

- In addition to the large selection of beer and cider (of which there is 23 to choose from) and the curated wine list, is the fact that many of the ingredients that are used in the beer are grown on site, and the ingredients that can't be grown on site are locally sourced. All of this goes along nicely with the food trucks that are often there serving up great local food.
- It's charm. The owners did a great job creating a warm, fun, and family-friendly atmosphere that, according to marketing director Lauryn Adams, builds on the "original roots and the ground that made the house what it is today." You can go there to enjoy live music, ladder ball, cornhole, and Deb, Jackie, and Geri's favorite – bocce ball. If it gets too cold, patrons can move near the fireplaces.



Farmhouse Brewing Co. is home to a weekly bocce league run by Bocce VB. For more information, visit their website at [www.boccevb.com](http://www.boccevb.com).

Farmhouse combines all of the favorite things our community has to offer. We hope to see you there!

## Family Corner - Spooky Times at Parks Zeigler



## Varieties of Beer

Diving back into the topic of beer, I (Kellam) want to highlight the major varieties of beer and then the characteristics of various styles under each. First, beer is either a Lager or an Ale. The difference is the type of yeast used during the fermentation process; Lagers have yeast fermenting at the bottom of the mixture and Ales are at the top (though there are also spontaneously fermenting yeasts which produces wild or sour Ales). Over the next few months, I'll tackle each of these three fermentation methods and a handful of top styles within each.

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## INSIDE THIS ISSUE:

- Tech Support Scams
- Back Bay's Farmhouse Brewing Company
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### *Allison's Adage:*

It's about that time again . . . the holidays? While I addressed this last year, I think it is important to remember that the holidays are a time for joy, not for making your ex, soon-to-be ex, or your children miserable. No matter how contentious your relationship may be with the other parent, think about your children. Putting your children's happiness is paramount, especially during the holidays is important. Be reasonable. Be kind. And above all else, spread joy!

Here are a few tips I shared last year if you find yourself having to share the holidays with the other parent:

1. Put the children first. You should never prevent your ex from seeing the children just to prove a point or to make the other person angry.
2. Plan ahead as much as possible. You don't want to try and schedule the holidays at the last minute. That only causes more stress and drama.
3. Be flexible. Both parties should be willing to compromise. If you are inflexible, you will end up fighting every time.
4. Be nice. My clients probably hate it when I say it, but "you catch more flies with honey than you do vinegar." Your tone or choice of words can turn an amicable situation into an argument.

Please have a happy and safe holiday season!

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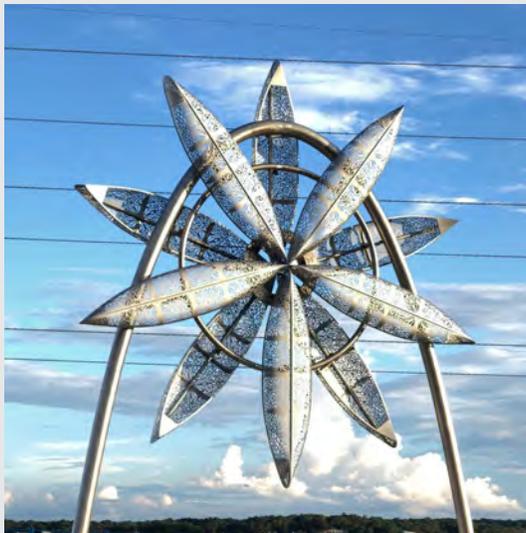
# STAYING *in Touch*

October 2018 Newsletter | VOLUME 7 - ISSUE 10 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Personal Injury Claims
- Local Art
- Free Credit Freezes



## *Credit*



Last month, the “Economic Growth, Regulatory Relief, and Consumer Protection Act” took effect. This makes credit freezes free in every state. Additionally, fraud alerts are now effective for a full year, instead of only 90 days. However, business credit accounts are not included in this legislation. If you’re an aspiring small business owner, be sure to learn the difference between business credit reports and personal credit reports.



**Brandon’s Soapbox:** To me, Fall brings the opportunity for football, fires, friends, and family. Sports is the one type of event that must be watched live and when watched with a group of friends, is a great experience.

Our firm experienced significant change and growth this past year. We moved to our new location and added Richard Biemiller and Kim Dietz. Our firm has become better and stronger with their addition. We are looking to continue our growth trend in 2019. We continue our search for a litigation paralegal and an experienced Trusts & Estates lawyer. If you, or anyone you know might be interested, please look at our website [www.pzlaw.com](http://www.pzlaw.com) for complete details on the positions.

*Brandon*

## *Did you know?*

As October is National Cyber Security Awareness Month, it’s a great time to make sure all your software is up to date, that your passwords are strong, and your privacy settings are set appropriately. The recent Facebook data breach is just the latest reminder of how vulnerable our information is online. Check out our blogposts at [www.pzlaw.com/blog](http://www.pzlaw.com/blog) to learn how you can protect your information and accounts.





*"Many of life's failures are people who did not realize how close they were to success when they gave up."*

*— Thomas Edison*

## PERSONAL INJURY CLAIMS

There are several reasons why you might be reluctant to file a personal injury claim. Often, there's no immediate pain and you might feel it's unnecessary, or maybe the potential benefits don't seem to justify the upfront financial cost and risks of potentially hiring an attorney. If the accident in question involves your place of work, you might be concerned that filing a claim might reflect poorly on you.

Whatever the reasoning, it is important to understand that personal injury claims can be advantageous and cost-effective when handled properly, while also ensuring you are covered financially and medically. Below we've listed some important things to consider if you're reluctant to file a claim.

The most important reason to file a personal injury claim is to ensure professional medical care. When a claim is filed, it becomes pertinent to all parties involved for you to receive proper medical attention because that information is used to determine what actions will be taken. The impact of an accident is not always felt immediately and the sooner care is received, the better chance of full recovery.

The point of purchasing insurance in the first place is to combat against these types of unforeseen accidents. Therefore, filing a claim is a way to hold insurance companies accountable for the service they provide. By not filing a claim, you're essentially not claiming what you've already paid for. Compensation is exactly that – what you are owed as a paying customer, not a reward or "free money."

Filing an insurance claim can also provide the motivation a company needs to rectify a dangerous work environment. If a claim is never filed, then the appropriate parties may remain unaware of the hazard, or simply not be inclined to fix it. Thus, by filing a claim, it could very well make the workplace safer for your colleagues, as well as save the company in the long run.

Taking into consideration the amount taxpayer revenue spent on individuals who are unable to work, there's also a civic responsibility that comes with filing a claim. If a private entity is ultimately responsible for your inability to sustain yourself, then it should not be the public's responsibility to make up the loss.

Despite how it is often characterized, the reasons for filing a personal injury claim are not to receive an undeserved payout. When considering all the potential costs that arise from an accident, filing a claim will help ensure your physical and financial well being.

Remember, as was stated above, unforeseen accidents are the only reason insurance is a valuable service in the first place – do not be afraid to utilize the service you pay for. If you have any questions, an experienced attorney can help you receive a settlement or verdict that fairly reflects the nature of the incident.

*We welcome your referrals!*

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## Deb Dishes:

I keep hearing the word "Fall," but with temperatures in the 80s, I'm having too much fun outside to be in a kitchen for long! When I'm on the go so much, I like to make all-in-one meals that will be both filling, and good reheated for lunch. Try this quick and easy chicken-artichoke-spinach bake dish. Take a can of 8 Grands biscuits, separate into 8, then cut into 6 pieces each, set aside. Microwave 8 oz of chive & onion cream cheese with 1 cup shredded Italian cheese for about 1.5 mins, stir well. Whisk in ¼ cup milk, mixture will be lumpy. Fold in biscuit pieces. Stir in 2 cups of shredded rotisserie chicken, 3 cups of fresh baby spinach, and a 6 oz jar of artichoke hearts, chopped. Spoon mixture into a greased 9x13 baking dish and bake for 35 minutes at 350°. Remove and sprinkle 1 more cup of Italian shredded cheese on top and bake for 10 more minutes. Find this and many other recipes on our website: <http://www.pzlaw.com/library/recipes>.

## LOCAL ART

October 18th-19th marks the return of Norfolk's NEON Arts Festival to the NEON District (located on Granby Avenue between Brambleton and Virginia Beach Blvd.) where local artists and performers show their latest work in a festive and celebratory atmosphere.

While reading up on this year's festival, we were reminded of the creative richness in our local communities. If you look for it, you'll find beautiful public art at every turn! We've listed a few of the many public artworks that make our communities so much more vibrant.

When you cross over the Lesner Bridge in Virginia Beach, look for The Canoes. A beautiful 36-foot metal sculpture created by Donald Lipski that celebrates Virginia Beach's connection to water and pays homage to the early settlers through intricate patterns cut into the canoes.

Head to Norfolk to see beautiful murals that give the NEON (the New Energy of Norfolk) District its name. You can spot two of them on the corner of Brambleton and Granby St., and you'll find more if you venture north on Granby St. into the heart of the NEON District.

At Rudee's Inlet, walk along the Rudee Walkway to see the beautiful Seashore Cathedral created by Guiseppe Percivati. Seashore Cathedral is a mural of geometric designs and bright colors that give the impression of stained-glass windows. Percivati was inspired to bring "lightness and brightness to the atmosphere."



*The Seashore Cathedral is located at the Rudee Walkway in Virginia Beach.*

These are just three of the many public art displays in the community. For a complete list visit [www.NorfolkArts.net](http://www.NorfolkArts.net) and [www.VBPublicArt.org](http://www.VBPublicArt.org). If you have a free afternoon, we strongly suggest you take a few hours to see it for yourself!

## Family Corner



Kellam and Kelly attended the 2018 NAS Airshow. They had a great time and thank Prevailance, Inc. for its generous VIP invite.



Allison's son Connor spent the day in the office. Oliver enjoyed the company.



## Fall Seafood Roast

I (Brandon) believe one of the best benefits of living in Hampton Roads is access to fresh seafood. A fall seafood roast with oysters and clams is hard to beat. Eating the oysters raw while waiting for them to cook on the grill is a great way to pass Saturday afternoon with some college football.

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- Personal Injury Claims
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## *Kellam's Tech Tip:*

This month I'm discussing the newest iOS – 12. I've listed some top tricks/tips below; however, there are plenty of others, so be sure to search them out online.

- Conserve Battery – When you are without cell coverage, your iPhone will constantly look for it. iOS 12 adds “No Cell Coverage” as an option to Battery Usage by App list at the bottom of battery settings. This will alert you to apps which are power hungry in dead zones.
- Messages
  - Can automatically scan text messages for one-time login codes and copy and paste for use.
  - Animated Labels – In addition to Animojis and Memojis, you can add animated words, phrases, and hashtags to your photos and videos.
- Do Not Disturb – In addition to the ability to trigger at specified times, it can now also be triggered based on location.
- Siri
  - Smart suggestions – On the lock screen and search pane, Siri will suggest contextual app shortcuts, such as messaging ahead when running late.
  - Additional Voices – Siri can now be programmed to speak in an Irish or South African accent.
- Voice Memos – Better user interface and the ability to trim audio and even splice in new audio files.



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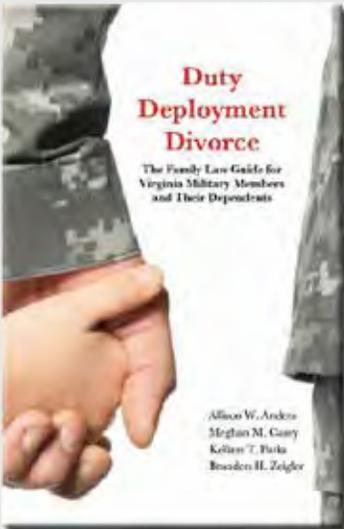
# STAYING *in Touch*

September 2018 Newsletter | VOLUME 7 - ISSUE 9 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Peer To Peer Payment Apps
- BIBA Smart Playgrounds
- The Danger of Shortened URL Links



*Technology*

<http://loooooooooong.url>

<http://short.url>

Shortened URL links are everywhere and we click on them without giving it any thought. What many people don't realize is that hackers often shorten malicious links (using popular legitimate shortening services like bit.ly) to direct people toward malware. Before clicking on shortened URLs from an unfamiliar source, use a tool like [urlxray.com](http://urlxray.com) or [checkshorturl.com](http://checkshorturl.com) to show where the link leads.



**Kellam's Corner:** Another back-to-school season. I've enjoyed seeing everyone's pictures of the kids heading off for the new year. At our house, Avery started her third year at ODU – we have no idea how our daughter is almost 21 and on the back end of college.

This time last year the firm announced that we closed on our new office space. Another milestone reached for the firm's growth. As we've mentioned before, we're still expanding, looking for an excellent litigation paralegal and experienced Trusts & Estates lawyer. All details are on our website. You can also stay up to date with what's going on with the firm on our social media pages as well.

We are excited to announce the publication of our military law book, **Duty Deployment Divorce: The Family Law Guide for Virginia Military Members and Their Dependents**. This 108 page book is a collaboration between the four family law attorneys at our firm to assist the military and dependent community. Hard copies are available for purchase on Amazon at <https://amzn.to/2M-mdORC>; however, if you would like a digital copy please email our office at [info@pzlaw.com](mailto:info@pzlaw.com) and we will happily send you one.

*Kellam*

*Did you know?*

It comes as no surprise that New York is a melting pot of diverse cultures; however, it is also incredibly rich in linguistic diversity. In fact, the borough of Queens has more than 800 languages spoken there! That's more than anywhere else in the world according to the Endangered Language Alliance.





*"NOTHING IS IMPOSSIBLE,  
THE WORD ITSELF SAYS 'I'M POSSIBLE'!"  
— AUDREY HEPBURN*

## PEER TO PEER PAYMENT APPS

Mobile banking apps, peer to peer payment apps like Venmo, Zelle, or Cash App, and other financial management apps such as Digit or Mint, have undoubtedly made our day to day lives more convenient. It is no longer necessary to drive to banks to deposit checks; paying bills requires nothing more than signing into your mobile banking app and clicking "submit payment;" and making payments to friends or to a business can be done while stopped at a red light. It has given us more time in our day to take care of other tasks, and in many ways, it has given us more control over our financial lives.

The other side of this convenience is, you guessed it, increased data vulnerability and various cyber threats. News of data breaches, phishing attacks, and ransomware have been in our news feeds for years now and they don't seem to be slowing down. On the contrary – the more private information we allow third parties to have access to, the more vulnerable we become. The case of mobile banking/payment apps is a perfect example.

Unfortunately, there are too many methods of hacking to discuss in detail here. From fake mobile banking apps that leak credit information online, "accidental payment" scams that occur on Venmo, or mobile account porting; the number of places where attacks originate from can be daunting when thinking about how to protect your information. So, what can you do?

First and foremost, because each app is different, we recommend researching the apps you use to learn specific methods of protection. However, there are general steps you can take to provide an overall layer of protection.

- Check the privacy settings on your device, as well as the privacy settings for each particular app. For example, Venmo transactions default to "public" when signing up to use the app. If you don't set parameters within the app itself your financial transactions are public for everyone to see, which is a security issue.
- Execute transactions within your banking app itself when possible. Additionally, when using a third-party app, it's best to link to your credit card, rather than drawing directly from your bank account.
- Ensure that notifications are turned on for all transactions, deposits, and withdrawals. This allows notification of bogus transactions, which could help spot instances of theft.
- Finally, use two-factor authentication and unique passwords.

Unfortunately, security is not guaranteed. However, putting these measures in place accomplishes two things. First – it will keep you notified of financial activity, which can then allow you to spot inconsistencies or suspicious activity. Second – obstacles deter thieves. A thief will go where there is the least amount of work. The more difficult it is for a thief, the higher the chance they'll look elsewhere. As always, please contact us if you have any questions.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

September... I know the world is going pumpkin spice crazy, but I'm still into summer and seafood! I love tempura, but not the calories or the heaviness. Also, it's messy and time consuming to make tempura battered foods. I prefer quick and easy when cooking in warmer weather days. I set out to find a recipe that would provide the crunchiness satisfaction that tempura gives me and also tastes good. Thanks to Christine Skari, and her funny writing, I found the perfect substitute – 5 Ingredient Lemon Panko Shrimp. Place 1 pound of peeled (I peel even the tails off), deveined shrimp evenly in a baking dish, sprinkle with salt & pepper. Drizzle about 1 Tbsp lemon juice and 1 Tbsp olive oil over the shrimp, mix it around and set aside. Mix 2 Tbsp chopped Italian parsley, 1 Tbsp lemon juice, 2/3 cup panko bread crumbs, 1 ½ Tbsp olive oil, and a little salt & pepper. After mixing well, evenly layer the panko mixture over the shrimp. Bake at 400° for 12-15 minutes, or until shrimp is cooked through and the panko is golden brown. To maximize your crunch factor, eat this soon out the oven, while still hot! Enjoy a tasty Forrest Gump moment. Find this and many other recipes on our website: <http://www.pzlaw.com/library/recipes/>.

## BIBA SMART PLAYGROUNDS

For some parents, getting their children outdoors and away from the screen is a challenge. While there can be educational advantages to digital games, studies show that children today are less physically active. To address this problem, a company called Biba is using technology in a way that combines physical play and augmented reality gameplay.

Biba's games are designed for children ages three to nine and they use augmented reality to create interactive scavenger hunt-type games that parents and children play together. The games are great for parents because they require that the parent hold the mobile phone while the child runs about to interact with virtual characters and complete tasks. The company follows what they refer to as an "80/20" rule which means that 80% of the game is physical play, while the other 20% is spent with the screen.

Biba games also allow parents to track in-game progress and organize play dates. Additionally, data generated is used to build playground profiles for communities to identify play patterns that describe peak hours and daily demographics to, as they say, "make play work better for people in the community." All data is encrypted, anonymized, and segmented to ensure security.



*This Biba playground is located at the First Presbyterian Church of Norfolk, 820 Colonial Ave., Norfolk, VA 23507.*

Recently Bibi installed a "smart playground" in Norfolk. You can locate Biba playgrounds (identified by the orange markers) by using the GPS map function when you download any of the Biba game apps. Their playgrounds offer mini-games and additional "treasures" unlocked through gameplay. Visit [www.bibaventures.com](http://www.bibaventures.com) to learn more about how the games work!

## Family Corner



Allison and her family enjoyed their summer vacation in the Upper Peninsula of Michigan, visiting friends and family.



Meghan and her family cheered on the Fighting Irish of Notre Dame as they defeated Michigan over Labor Day weekend.



## Perfectly Paired Beer

I (Kellam) tackled wine over the last number of months. For the next few months, I'll tackle another indulgence of mine; beer. I'll be diving into a few types of beer that are my favorite and some general info/tips. To start for this month is how to pour a beer. Be sure to pour your beer into a glass and let it foam. The foam allows the CO2 to escape, giving the beer a better taste and avoiding beer bloat in your stomach (as the gas is released in the glass rather than in your stomach). Perfect amount is 1-1.5"

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### *Allison's Adage:*

Sometimes our clients tell us that they want us to be “aggressive.” They may wonder why we are giving opposing counsel an extension to respond to discovery or ask why we are being friendly with the other side. We want our clients to understand that while we always put forth 100% effort to achieve their goals, that doesn’t always mean being “aggressive.” We have an obligation to be professional at all times and the Virginia Rules require us to confer with the other side to resolve an issue before heading to court. Fighting every issue does not always work to our clients’ benefit and is guaranteed to be a lot more expensive. There are plenty of times when being aggressive is warranted and we’ll don armor to do battle, but oftentimes working with the other attorney to resolve issues, large or small, helps to resolve the bigger issues and possibly the entire case.

By working with opposing counsel, we often save our clients money and reduce the emotional toll the legal proceedings take. Fighting over every issue is rarely the right call. Having experienced and capable counsel who are able to determine which issues need to go to the mat and are able to win that match is the difference maker. Make no mistake, all of our attorneys are prepared to fight as hard as necessary to achieve our clients’ goals, but that doesn’t mean we have to fight every issue to get there. We use our years of experience, relationships with opposing counsel, and knowledge of the local courts, to guide how best to approach each and every issue in a matter.

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## IN THIS ISSUE:

- Secure Your Information with a Virtual Private Network
- Virginia Bee Population is Declining
- The Effects of Student Loans on a Marriage



## *Credit*



Student loan debt has reached \$1.7 trillion. The size of this debt makes it a pressing concern for the country, but this debt is also having a negative impact on marriages. According to a study by SunTrust Bank, college loans contributed to the divorce of 13% of participants interviewed. Outstanding debt can be difficult to navigate in a marriage due to the resulting stress and financial limitations that impact long term family goals.



**Brandon's Soapbox:** As summer comes to an end, and the constraints of the school year consume our free time, I find myself looking back on our summertime activities. My son earned his open water Scuba certification this past month and I was able to join him on his first open water dive as a certified diver. What an amazing experience to share with him. We will both work to get our advanced open water certificate with the goal of diving with Great White sharks off South Africa in 2022.

We are pleased to announce the addition of our newest paralegal, Judy Willis. Judy comes to us with over 13 years of experience and will primarily support our medical malpractice cases. As our firm continues to grow, we are looking to hire a Wills, Trusts, and Estate planning attorney and an experienced Civil Litigation paralegal. Details about these positions can be found on our website at <http://www.pzlaw.com/library/employment-opportunities.cfm>.

Mark your calendar, Saturday October 6th is the 2nd Annual Wings Over Leukemia and Lymphoma. It is being held at Lendy's Café & Raw Bar. More information can be found at [www.WingsOverLL.com](http://www.WingsOverLL.com). The founder of the event, Tim Quick, is a cancer survivor and this is his way of giving back. Tim has been a friend since college and we are privileged to help sponsor this grand event. We hope to see you there.

*Brandon*



## *Did you know?*

Tashirojima, which lies just off the east coast of Japan is known as "Cat Island" because it hosts more cats than people! The large population is due to a legend that says feeding stray cats will bring wealth and good fortune. Not surprisingly, it also brings more cats.



*"Your time is limited, so don't waste it living someone else's life.*

*- Steve Jobs*

## SECURE YOUR INFORMATION WITH A VIRTUAL PRIVATE NETWORK

Amongst the various cyber threats that users face when conducting any business over the internet, one is the lack of security of the WiFi network itself. Public (and sometimes private) networks are vulnerable to bad actors looking to cherry pick the information being communicated via email, text, web platforms, etc. When people are traveling or working away from their home, many times they rely on free public WiFi networks like those offered at coffee shops or airports. These networks are a welcome convenience, but if you're not careful you could compromise your data.

As much as we'd love to always be on our private network, sometimes it just isn't an option. If you must use a public WiFi network, then we strongly recommend you use a Virtual Private Network



(or VPN) to help keep your information secure. When inquiring about a VPN, it may be difficult to understand how they work. However,

the protection offered by VPNs are worth the small effort required to be informed.

When someone uses an open WiFi network, the information exchanged is not encrypted and your IP address is accessible. The information associated with your IP address can give hackers additional information that can be used to establish a data profile, which can then be used to open accounts in your name.

A VPN protects your information by encrypting the information being communicated over the internet and re-routes that information through an IP address other than your own. Imagine a VPN as a tool that codes your information and finds an alternative route for it to pass through, which makes it more difficult for a hacker to access. Nothing, including a VPN, is foolproof, but it requires a lot more work to gain access, meaning a thief will often look elsewhere for easier targets.

Because of the degree of protection offered by VPNs, it is not typically offered as a free service. However, there are affordable VPNs that will get the job done. When researching, it's important to know that some VPNs are designed for specific uses or users. Thus, the most expensive one may not be appropriate for what you need. For example, some are meant for "power users," others for "general users" or "first-time users." Some are meant for "frequent travelers," "speedy bit torrenting," or "security novices."

Do some research before selecting a VPN service that's best for you. There is no shortage of informative web articles and YouTube videos that provide more specific information. Last month, PC Mag magazine published an analysis and review of their favorite VPNs. In it, they do a side by side comparison of 10 VPNs that looks at various dimensions such as cost, ad blocking, number of devices allowed, etc. You can view that article here - <https://www.pcmag.com/article2/0,2817,2403388,00.asp>

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## Deb Dishes:

So many of my childhood memories revolve around foods cooked by my Granmas and Mom. One is fried cabbage that sometimes went along with the fried chicken we ate almost every Sunday. Start prepping this simple recipe by coring and chopping up a head of cabbage, chopping up a small onion (or use a tsp of onion powder) and cutting about 4-5 strips of bacon into fourths. Cook the bacon until tender, not quite crunchy yet. Add a couple spoonfuls of grease (we store bacon grease in fridge, I know – it’s a Southern thing); you can use vegetable oil or lard. Base the amount of grease (1/4 – 1/3 cup) you use on how much cabbage you are going to add into the pan, you do not want your cabbage soaked in grease, just sautéed, and remember the cabbage will reduce some as it cooks and becomes tender. Add in onion and cabbage. I had one Granma that also threw in a pinch or two of sugar, but that’s optional. Sauté all, stirring intermittently until the tenderness you desire is achieved. I cook mine less than my grandmothers did, about 5 minutes. Season with salt & pepper to taste and enjoy, and don’t forget the cornbread! All recipes can be found on our website: <http://www.pzlaw.com/library/recipes/>.

## VIRGINIA BEE POPULATION IS DECLINING

In Virginia, bee population has seen an alarming decline over the past few years, and 2017 was especially concerning. The Virginia Department of Agriculture and Consumer Services recently reported a 60% loss over the previous cold season, the largest since they began tracking in 2000. Considering the integral role bees play in sustaining and maintaining many important elements of our ecosystem and economy, a healthy bee population is in the best interest of Virginia.

To address the problem, Gov. Northam and the General Assembly recently signed H.B. 112 into law, which is an initiative that modifies the Beehive Grant Program that was initiated in 2013. The initial program reimbursed certain expenses for local bee farmers, but it had some problems. The finances were limited, reimbursements could take years to receive, and some farmers never received the reimbursements at all. Additionally, budget allocations for the program have declined. In 2017, only \$4,304 was given to the fund, compared to \$153,000 in 2014.

The new initiative was allotted \$125,000, but instead of offering financial reimbursements to farmers, it distributes bee hives. One advantage of distributing hives instead of money to farmers is that it attracts new people interested in beekeeping. 60% of this year’s applicants are new to bee farming which is encouraging because it means that the population will not only be protected, but it will also grow. The VDACS is currently looking for a contractor to build the hives which are estimated to cost between \$100 and \$150 each.

## Mark Your Calendar

**FREE SEMINAR - Wednesday, September 12th, 6:30-7:30 pm**  
**7 Steps To Correct Errors On Your Credit Report**  
M.E.O. Central Library, Call Jackie at 757-426-4526 to RSVP  
**Presented by Attorney Kellam T. Parks**



## Family Corner



Zach and his daughter Bellamy spent the day volunteering at Clean the Bay Day.



Deb’s son, Paul, and family have moved to Holly Springs, NC after his graduation from dental school. Congrats to all!



## Fried Green Tomatoes

This is the perfect time of year to grab some green tomatoes and fry them up. Fried Green Tomatoes are one of my (Brandon) favorite summertime treats. Make sure your tomatoes are firm and slice them about 1/3” thick. Combine 1/2 cup cornmeal, 1/4 cup all-purpose flour, 1 tsp sugar, 1 tsp salt and 1/4 tsp pepper. Heat about 1/4” to 1/2” oil in a cast-iron skillet. I like to add a couple tablespoons bacon grease to the oil for more flavor. Dredge the tomato slices in cornmeal mixture and fry until browned, turning once. Serve them while they are hot with a dab of goat cheese and bacon jam. Enjoy!

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### *Kellam's Tech Tip:*

This month we're continuing Facebook security/privacy, diving into more advanced/new settings to ensure you are maximizing your protection. The navigation instructions are for Facebook on the computer.

- Enable Two-Factor Authentication – this feature will add a layer of protection when there is a login from somewhere not recognized (and will send a code via text or through a third-party authentication app if you have one). To enable, go to Settings>Security and Login>Two-Factor Authentication and choose “Use two-factor authentication.”
- Enable Notifications – Facebook will notify you if it detects unusual activity, such as it being accessed from a different device. To enable, go to Settings>Security and Login>Setting Up Extra Security - and select “Get alerts about unrecognized logins.”
- Controlling Search Engine Access – You can opt-out of having your Facebook profile show up in search engines for greater privacy. To enable, go to Settings>Privacy>How People Find and Contact You and choose “No” to the search engine question.
- Check to See What People See – You can easily see what people see on your page to ensure your privacy is as you want it. From your page, go to the ellipse to the right of the “Activity Log” and click, choosing “View as” – you will then be viewing your page as someone in a category, such as “public” or even a specific person you choose (just change in the top bar).

As always, when using the internet and social media, stay up to date on the options to maintain your privacy... and use them!

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## IN THIS ISSUE:

- July 1 Changes in Virginia Law
- PulsePoint Launch in Virginia Beach
- Bicycle Helmet Safety



**Kellam's Corner:** We hope everyone had an enjoyable 4th of July holiday. The Parks family's annual July OBX week vacation was excellent as always. Plenty of sun, relaxation, and time to recharge for the second half of the year.

On the firm front, we've got a lot of irons in the fire. As Brandon mentioned last month, we're looking for an experienced Wills, Trusts, and Estate planning attorney. Details here if you qualify or know someone that would be a good fit: [www.pzlaw.com/library/employment-opportunities.cfm](http://www.pzlaw.com/library/employment-opportunities.cfm). Our military family law book should be back from the printers by the next newsletter, keep an eye out for details. We have plenty of other things in the hopper that we're excited to share in the coming months.

*Kellam*

## *Personal Injury*



A new joint study by Virginia Tech and the Insurance Institute for Highway Safety is looking to provide more information about the effectiveness of different bicycle helmets. The stated goal of the study is to provide cyclists with an "evidence-based tool for making informed decisions about how to reduce their risk of injury." The first 30 helmets tested showed that a higher price is not an indicator of higher quality. For more information visit <https://goo.gl/BNuwsQ>



## *Did you know?*

There's an island so populated with poisonous snakes that only legally sanctioned visits are allowed and a doctor must be present. The island, named Ilha da Queimada Grande, lies 25 miles off the coast of Brazil and is home to over 2,000 Lancehead Vipers, an extremely venomous species of snake with a bite that can kill a human in under one hour.



*"All our dreams can come true, if we have the courage to pursue them.*

*- Walt Disney*

## JULY 1 CHANGES IN VIRGINIA LAWS

July 1 is the date most new laws passed by the Virginia Legislature take effect. Here are some of the more notable changes this year in our practice areas and a bonus one of interest. We've given the link to the new laws text beside each.

### **SB 540 – Modification of spousal support; retirement age.**

<http://leg1.state.va.us/cgi-bin/legp504.exe?181+ful+CHAP0583>

A former spouse that pays spousal support can now petition the court to modify the obligation upon full retirement age pursuant to the federal Social Security Act as a material change of circumstances event. The bill provides a list of factors that shall be considered by the court in considering modification.

### **HB 1351 – Joint legal or physical child custody; custody and visitation decisions.**

<http://leg1.state.va.us/cgi-bin/legp504.exe?181+ful+CHAP0857>

The revised Code now explicitly states that a court, when determining custody, shall consider joint legal, joint physical, or sole custody and that there is to be no presumption for any form of custody.

### **HB 262 - Protective orders; cases of family abuse, cellular telephone numbers or other electronic devices.**

<http://leg1.state.va.us/cgi-bin/legp504.exe?181+ful+CHAP0038>

This law addresses increasing instances of family/spousal abuse via digital devices such as smart phones. In protective order cases, a petitioner may be granted exclusive use and possession of a cellular telephone number or electronic device. The court may also prevent the alleged abuser from terminating a number or device before the expiration of the contract term.

### **HB1027 - Security Freezes**

<http://leg1.state.va.us/cgi-bin/legp504.exe?181+ful+CHAP0264>

This law reduces the amount that a credit reporting agency may charge a consumer for enacting, removing, or lifting a credit freeze from \$10 to \$5. A credit freeze is one way to help protect against identity theft. This bill, and others like it around the country, emerged after the Equifax hack last year in response to mounting pressure placed on credit agencies to make it easier for consumers to protect their identity.

### **HB856 – Unlawful Detainer; Execution of Writ of Possession**

<http://leg1.state.va.us/cgi-bin/legp504.exe?181+ful+CHAP0145>

This law allows a plaintiff that prevails in an unlawful detainer (a lawsuit to get possession of property) to request the court to immediately issue a writ of possession (the document allowing the sheriff to proceed with eviction). This changes the law from the previously required 10-day waiting period.

### **HB 1602 – Alcoholic beverage control; confectionery license**

<https://lis.virginia.gov/cgi-bin/legp604.exe?181+ful+CHAP0334>

Lovers of boozy foods rejoice! This new law allows for the issuance of a confectionery liquor license to make treats which contain up to 5% alcohol by volume. Expect to see cupcakes, sauces, and frostings with an extra kick.

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## Deb Dishes:

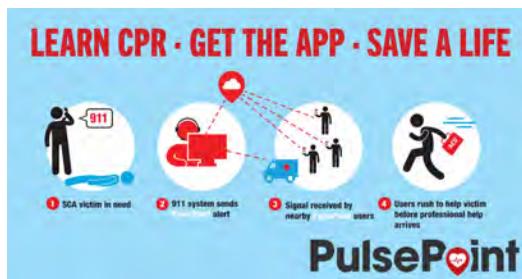
I know it's summer and the grills are fired up, but I like soup with a summer twist! Courtney Montagna made this easy Lemon Chicken Orzo soup that is now a family favorite. Heat 1 tablespoon olive oil in a stockpot. Add 3 cloves of minced garlic, 1 small diced onion, 3 peeled and chopped carrots, and 2 diced stalks celery. Cook, stirring occasionally, until tender (about 3-4 minutes). Stir in 1 spring thyme until fragrant (about 1 minute). Whisk in chicken stock, 2 bay leaves, and 1 cup water; bring to a boil. Stir in 3/4 cup uncooked orzo\*, 1 sprig of rosemary and chicken; reduce heat and simmer until orzo is tender about (10-12 minutes). Stir in juice & zest of 1 lemon, 1 cup baby spinach leaves, and 2 TBSP fresh chopped parsley; season with salt and pepper to taste. \*I do not cook pasta/rice in soups. I cook them separately so they do not suck up all the liquid, eliminating adding water to my recipes and keeping my pasta/rice intact as well.

You can find this recipe and many others on our website at <http://www.pzlaw.com/library/recipes/>. Enjoy!

## PULSEPOINT LAUNCH IN VIRGINIA BEACH

Virginia Beach is the latest city in the Hampton Roads community to implement the use of PulsePoint, a mobile app designed to save lives. Newport News and Chesapeake began using the app in 2017, and Norfolk began using it this past Spring. Virginia Beach held a "soft launch" last month, and it officially went live on July 14th.

PulsePoint alerts those trained in administering CPR when nearby individuals go into an out-of-hospital cardiac arrest. This allows for more immediate attention which studies show can increase the rate of survival by up to three times. Users will be notified at the same time as first responders. While first responders do their job effectively, oftentimes it takes too long to get to the victim because of circumstances beyond their control. According to the American Heart Association, there are more than 350,000 out-of-hospital cardiac arrests in the United States each year. PulsePoint's stated mission is to use technology to "close the gap in those critical minutes" between a person going into cardiac arrest and first responders arriving.



PulsePoint was launched in 2011 and began showing its effectiveness as soon as it hit the market. Health groups and organizations began provided funding which allowed more cities to implement the app. The app is free to download on iOS and Android devices, but cities pay an initial start-up fee and a yearly licensing fee to use the service. The fee varies depending on a city's population.

## Family Corner



Parks Zeigler was proud to sponsor the ABNB Federal Credit Union F.I.S.H. Fest 2018. Richard and his family enjoyed the event onboard the Rudee Angler deep sea fishing boat.



Kellam enjoyed a beautiful (but rough) day on the water with Veteran Reporters. The sharks got all the tuna, but they managed to bring in a bunch of mahi.



## Dessert Wines

This month I'm (Kellam) returning to dessert wines for the final type – Fortified. These wines are made when grape brandy is added to a wine and can be either dry or sweet. Different types of fortified wines are: (a) Port (from Portugal), includes Ruby, Vintage/LBV and Tawny; (b) Sherry (from Spain), includes Fino, Amontillado, and Moscatel; and (c) Madeira, which is a wine produced using up to 4 different grapes from this island and is unique in that it is made from a heating/oxidation process (which usually ruins a wine).

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## INSIDE THIS ISSUE:

- July 1 Changes in Virginia Law
- PulsePoint Launch in Virginia Beach
- Bicycle Helmet Safety

### *Allison's Adage:*

In addition to the laws discussed above, I wanted to highlight some of the new laws recently implemented which impact the family law practice area:

- As to the retirement issue, under §20-107.1(F), if the court awards or reserves spousal support, it must state whether the retirement of either party was contemplated and specifically considered in making the award.
- §20-107.1:1, a brand-new statute, gives the court authority to order a party to maintain life insurance and to name the spouse as beneficiary. The statute provides factors for the court to consider when making its determination.
- The amount of time a child must have continuously resided with or been under the physical custody of a prospective close relative adoptive parent in order for the adoption proceeding to commence in court has been reduced from three years to two years.

As with most new laws, these statutes will only apply to cases filed after July 1, 2018.

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# STAYING *in Touch*

June 2018 Newsletter | VOLUME 7 - ISSUE 6 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- The Legal Definition of a Parent under Virginia Law
- Camp Grom
- Soft Shell Crabs



**Brandon's Soapbox:** Congratulations to all 2018 graduates! I had the privilege of attending the Green Run Academy's senior awards assembly this month to present Shania Sanderson with the \$6,000 Parks Zeigler College Scholarship. We wish her the best as she heads into the next chapter of her life at ODU.

Now that we are settled into our new office, we have decided it is a good time to again expand our practice. We are looking to hire a Wills, Trusts, and Estate planning attorney, with at least 5 years' experience. If you are interested in discussing this opportunity, or know anyone that might be a good fit, please let us know.

This year the summer solstice happens on Thursday, June 21, marking for those of us in the northern hemisphere, the first day of summer and the longest day of the year. This day provides 5 hours, 3 minutes more daylight than the winter solstice. I hope you get outside and soak up the vitamin D.

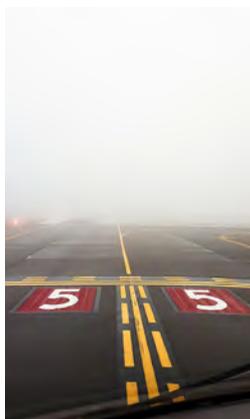
*Brandon*

## *Family Law*



Last month, Gov. Ralph Northam signed into a law a bill that requires courts to consider joint and sole custody of children when handling a divorce case. While, in practice, there has not been a parental custody presumption since the 1970's, this bill makes sure that the courts consider both options equally. Del. Glen Davis, who sponsored the bill, says that it "ensures that joint custody is always a consideration."

## *Did you know?*



Airport runways are labeled according to their magnetic headings and, because magnetic poles shift, runways occasionally need to be re-labeled (which is a costly task). The magnetic North Pole can move up to 40 miles per year, and it is not uncommon for one or two airports to have to re-label their runways each year.



*"A ship is always safe at shore,  
but that is not what it's built for."  
— Albert Einstein*

## THE LEGAL DEFINITION OF A PARENT UNDER VIRGINIA LAW

We recently won an important case for parents' rights in the Court of Appeals of Virginia. The case involved the custody rights of a child that was conceived through artificial insemination with the assistance of an anonymous donor to a couple who was at the time not married. The child was raised by the couple Ms. H and Ms. G (Ms. G is the birth parent) in a shared home until they split. Ensuing events led Ms. G to terminate visitation. This prompted Ms. H to file for custody and visitation. The Virginia Beach Juvenile and Domestic Relations District Court granted Ms. H joint legal and shared physical custody of the child. This decision was appealed and the order was reversed, thus full custody reverted to the biological mother.

In a case such as this, it begs the question - what is a "parent" in Virginia? The Court of Appeals determined that while there is no express definition of a parent in Virginia, the Code considers a parent to be one who either (1) contributed genetic material through biological insemination or (2) legally adopted the child. When a child is conceived in part with the DNA from an anonymous donor, such as this case, Virginia's Assisted Conception Act holds that donors are generally not legal parents even though they have contributed biological material. If the parties have a court-approved surrogacy contract, the parties then are the parents of the resulting child.

There are two important factors that made this case especially unique. 1) The parties in this case were same-sex. Because same-sex marriage is now legal in Virginia, but was not at the time the child was born, Ms. H asked the Court to consider wid-

ening the definition of a parent to include non-biological parents in planned families comprising of same-sex couples. However, the Court of Appeals, relying on prior case law, declined Ms. H's request as it could lead to undesired consequences, such as a step-parent that has not adopted his/her partner's child moving for custody after their marriage ends and be on the same footing as the biological parent.

The second important factor was that the parties in question were never legally married. The Court of Appeals held that, regardless of the sexual orientation of the parents, if the couple is not married, then the non-biological/non-adoptive partner is not a legal parent. The Court determined that Virginia's definition of a parent is not discriminatory against same-sex couples as it applies equally, regardless of an unmarried couple's gender or sexual orientation.

A case like this emphasizes why the legal definition of a parent and the legal status of a relationship is so consequential when it comes to custody. The United States Supreme Court has held that parents have a fundamental constitutional right to make decisions concerning the care, custody, and control of their children. In this case, had the Circuit Court determined that Ms. H was the child's parent, notwithstanding the fact that she did not contribute any genetic material nor did she adopt the child, anyone person with a substantial relationship with a child could claim the status of a parent. To learn more about this case, please visit [www.pzlaw.com/blog/the-legal-definition-of-a-parent-under-virginia-law.cfm](http://www.pzlaw.com/blog/the-legal-definition-of-a-parent-under-virginia-law.cfm).

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Summer is here and I'm excited to enjoy more seafood. Seafood just seems to taste better in the summer. I found this keto friendly blackened scallop recipe you must try, dieting or not! Preheat oven to 350°. Mix 1 tsp paprika, 1/2 tsp cayenne (or more to taste), 1- 1/4 tsp garlic powder, 1 tsp dried thyme, 1 tsp dried oregano, 3/4 tsp kosher salt, 1/8 tsp black pepper. Coat room temperature scallops on all sides. Heat a large cast iron skillet with 1 tablespoon of butter over medium heat. Once hot add scallops (approx. 16 large) and sauté 1 minute on each side. Transfer to oven to finish cooking 4-5 minutes, or until inside is just opaque. It may smoke, so run your fan. Its great with Horseradish cream sauce - 1/4 c sour cream, 1 tsp prepared horseradish, 1 tsp water, 1/4 tsp Dijon mustard, 1/8 tsp salt. Try a crispy salad and rice cauliflower for lighter sides to this delicious dish! You can find this recipe and many others on our website at <http://www.pzlaw.com/library/recipes/>. Enjoy!

## On The Local Front

### CAMP GROM

This month marks the opening of Camp Grom, a project developed by The Virginia Gentlemen with the help of Gold Key PHR, the YMCA, and the city of Virginia Beach. Camp Grom is a day retreat camp that was motivated by the need for a space of community, encouragement, and adventure for the wounded veterans, families of the fallen, and adults and children with disabilities or special needs; a need that remained largely unaddressed in our region until now. Andrew Yancey, Chairman of the Virginia Gentlemen Foundation, says that the idea of the camp is "rehab through recreation." It is the only one of its kind on the east coast.

Located near the Red Wing Lake Golf Course off Oceana Blvd., and just north of Dam Neck Road, the park encompasses 70 acres and includes a lake for fishing, Cable Wakeboarding, Zero-Entry Indoor Pool, Indoor Water Track, a Reflection Garden, an Alpine Climbing Wall, a Quiet Sensory Room, and a lot more. All of its features are adaptive to ensure that everyone can enjoy them.

The park goes above and beyond simply providing fun activities. In addition to its recreational amenities, it will offer programs that are designed to foster personal development and education. It will also be a host to entertainment and social gatherings - all of which reflect the motivating idea of the park - self-empowerment, confidence building, and independence. Visit their website <http://www.vagentlemen.com/camp-grom/> to take a virtual tour of the park and learn more about the park's mission.

## Family Corner

Congratulations to Kelly Shaffer's son Andrew, Kim Dietz's daughter Lauren, and Allison Ander's son Connor. Exciting times for all three as they move onto the next level of their education.

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## Soft Shell Crabs

One of my (Brandon's) favorite seasonal specialties this area is known for is the soft shell crab. The start of the season is traditionally marked with the first full moon in May. This is the time when the blue crab begins its molting season. My preferred method of cooking them is to dip them in milk, lightly dust them in flour, and sauté them in a combination of oil and butter. Hot Tuna is my go-to place for soft shells, so if you are out near Shore Drive stop in and give them a try.

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## INSIDE THIS ISSUE:

- The Legal Definition of a Parent under Virginia Law
- Camp Grom
- Soft Shell Crabs

## *Kellam's Tech Tip:*

Given the recent Facebook concerns, it seems like a good time to circle back to Facebook security/privacy, which I'll tackle over next few months. This month is basic privacy settings using the Privacy Guide. To access the Privacy Guide, click the "?" symbol in the upper right [Quick Help options] for the dropdown window with a walkthrough of current settings for review/tweaking - click "Privacy Checkup" and go through the three listed to see what you have currently set.

### Posts

I recommend using as the sharing default "Friends" rather than "Public" so that your information isn't broadcasted to the world. You can further customize by choosing to exclude certain Friends from seeing your updates and can also restrict sharing to tagged friends of your Friends to ensure your circle is as tight as you wish it to be. To customize, click on the dropdown choice next to the "Choose Audience" option under "Your Next Post" - this will give you options from "Public," "Friends," to just you.

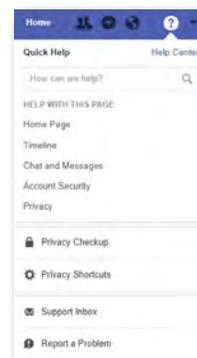
### Apps

This section lists all Apps that you have installed connected to FB. Each App will list with whom it shares information. You can lock them down as you wish and delete unused Apps from this menu.

### Your Profile

Here you review your personal information, such as phone numbers, email addresses, birthdays, and hometown. You can determine how much of that information is shared and with whom. You can even choose to just share your birthday and month and not year if you want to cheat a little on your age. To get the full list of information you're sharing, click the "See My About Page" hyperlink at the beginning of the section.

Next month I'll dive into more advanced/new settings to ensure you're as protected as possible!



***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

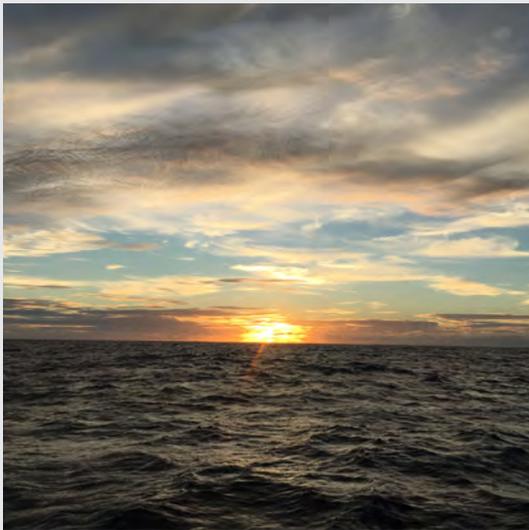
# STAYING *in Touch*

May 2018 Newsletter | VOLUME 7 - ISSUE 5 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Chesapeake Bay Restoration
- Virginia Residential Landlord and Tenant Act (VRLTA)
- Retirement and Spousal Support



## *Credit*



Data breaches reached an all-time high in 2017, increasing almost 50% from the previous year. The business sector was hit the hardest, making up for 40% of the tracked data breaches. The most common method of attack was hacking (e.g. ransomware & spyware, phishing, skimming). Another alarming statistic reveals that over one million children were victims of identity theft last year. Stay vigilant!



**Kellam's Corner:** Though it was a little slow in getting here (or at least staying), seems the warm weather has finally arrived – we hope you are enjoying it. As usual, I recently attended the Virginia State Bar's Tech Show in Richmond to get the latest info from national leaders in the field of tech and law practice management. I confirmed the tech we're using and procedures in place at the firm are all recommended and picked up a few additional ideas/tips for consideration moving forward to even better serve our clients.

At home, Avery wrapped up her second year at ODU and has mapped out the rest of her time to likely graduate a semester earlier – she's excited about starting her career in the dance community. This month also marks our littlest (though by no means best behaved or quietest!) dog's (Obi) 2nd birthday. My comment last year about how he seems to be settling down may have been premature... He could learn a thing or two from Oliver the Service Dog, that's for sure!

We look forward to hearing from you over the summer with your plans and, as always, feel free to come by and see the new office (and meet Oliver, if you haven't done so yet).

*Kellam*

## *Did you know?*



Photo courtesy of Virginian Pilot.

This month the Waterside District is introducing the SkyStar, a 137 foot high sky wheel. The wheel, overlooking the expanse of the Elizabeth River, will have 36 climate-controlled gondolas (handicap accessible) designed for up to six passengers. It will offer discounts for military, students, and seniors, as well as packages for date nights that include chocolate strawberries and champagne! We can't wait to give it a spin!



*"Honest disagreement is often a sign  
of good progress"*

*– Mahatma Gandhi*

## **VIRGINIA RESIDENTIAL LANDLORD AND TENANT ACT (VRLTA)**

In our March newsletter, we discussed some of the rights and obligations of tenants in the tenant/landlord relationship. This month, we want to discuss the rights and obligations of the landlord. The relationship between tenant and landlord, however amicable or difficult, is a legally coded relationship. This means that the relationship is, to a large extent, controlled by the legal requirements set forth in the Virginia Residential Landlord and Tenant Act (VRLTA). This is important to remember by both parties because no matter the dynamic of the relationship, the provisions of the lease are protected from items that may be emotionally motivated – both positive and negative.

Lease agreements are an important element of the landlord/tenant relationship. The first necessary step for the landlord is to be familiar with what the VRLTA lays out regarding lease agreements. However, to go further in ensuring a problem-free relationship with the tenant, a landlord should include items that address any number of potential problems that may arise in order to sufficiently communicate and document said problems for the tenant, and if necessary, the courts. Adhering to VRLTA, taking care to communicate clearly, and making sure to document all relevant events, requests, complaints, responses, etc. will go a

long way in protecting against any actions taken by a tenant.

A commonly disputed issue between landlords and tenants is the security deposit. To avoid this conflict, it is helpful not only to know the legal parameters regarding this issue (maximum deposit allowed, when the deposit must be returned, etc.) but also to create and utilize two itemized checklists provided for the tenant upon moving in. The first should document any existing problems in the unit such as damage to woodwork, unremovable carpet stains, and the like. When the tenant moves out, this checklist serves as an accurate and unbiased account of the conditions of the apartment for which the tenant will or will not be responsible. The second list should spell out what is expected when the tenant vacates the property (such as professional carpet cleaning, overall cleaning requirements, etc.). Be reasonable in drafting these requirements and go over them in person with a prospective tenant at the time of signing. Fewer surprises mean less potential conflict when the lease ends.

As a final quick tip, landlords should not let emotions dictate actions. If a tenant begins to cause problems, a landlord should carefully and objectively review the legal obligations and rights in that particular situation with reference to the lease (and the VRLTA) and proceed accordingly. Raising rent or withholding various services that are otherwise required will only end up undermining the landlord in court and may place the landlord in a legally vulnerable position. Again, keeping a solid record of transactions and communications with a tenant is crucially important if problems persist and legal action is necessary. If you have any questions about your living arrangement or lease agreement, please contact us.

### *Firm Spotlight*



Our newest paralegal, Kim Dietz joins us with over 10 years' experience focusing on commercial loan closings as well as collections, foreclosure, and creditor bankruptcy matters in both the Virginia and North Carolina court systems.

*We welcome your referrals!*

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## Deb Dishes:

It's May and that means Cinco de Mayo! I like to celebrate the Battle of Puebla by eating Mexican food. Any reason, right? This month I'm sharing another family favorite. Take about 2-3 good handfuls of shredded chicken, an 8 oz package of shredded Mexican cheese, an 8 oz can of tomato sauce, 2 handfuls of shredded cabbage and 1-2 peppers in Adobe sauce, chopped small (the more you use, the spicier your burrito). I also add a good spoonful of the sauce, as we like it spicy. Place a heaping spoonful of the mixture on a small tortilla and fold up into a burrito. Place seam side down on a lightly olive oiled baking surface, then brush a little olive oil all over top (doesn't have to coated). Cover with foil, bake for 20 mins at 350° and uncovered for another 5 mins to lightly brown. Serve with your favorite condiments: sour cream, salsa, guacamole, more cheese, and/or mole sauce, yummy! I usually serve Mexican rice, black beans, and chips with this meal. I like this recipe because any of the ingredients can be altered to fit your taste. Use more cabbage for a crunchier burrito, or more cheese if you like it cheesy. It's easy and uses staples in my home and allows me to throw something tasty together quickly.

## CHESAPEAKE BAY RESTORATION

A decades-long effort to restore the health of underwater grass in the Chesapeake Bay has yielded successful results. In fact, environmental scientists say that the effort "documented the most prolonged and robust recovery of such submerged meadows in the world." The Virginian Pilot reported that this is the "first time in modern history that grasses in the Bay have surpassed 100,000 acres."

The Chesapeake estuary is the largest in North America. It had become badly polluted by the 1970s and much of the underwater vegetation was dying off. The health of the Chesapeake is of paramount importance to the residents and regional economies which are fed by the Chesapeake. A large-scale clean-up effort was begun in 1984 that included both federal agencies and state conservation groups.

The success of the effort is a big victory for the Hampton Roads community, the future of which relies heavily on the Chesapeake Bay. Beth McGee, director of science and agricultural policy for the Chesapeake Bay Foundation, said that pollution is down, dead zones are getting smaller, and oysters are making a comeback.

This is indeed a great victory for Hampton Roads, but it's also a meaningful victory for the nation because it's a reminder that the problems we face can be overcome. Like Jonathan Lefcheck of the Bigelow Laboratory for Ocean Sciences said, "If we can do it in the Chesapeake Bay, we can do it anywhere."

## Family Corner



Lia, her son, and her mother spent a beautiful spring weekend in New York City last month taking in all of the spectacular sights.



Happy 2nd Birthday to Obi, Kellam, Kelly, and Avery's spunky dachshund.



## Dessert Wines

This month I'm (Kellam) returning to dessert wines for the fourth type – Sweet Red. Although many of these wines are now part of cheap, commercial production, there remain a few quality ones to try. Typical examples of less sweet to more sweet: Schiava, Freisa, Recioto della Valpolicella, and Late Harvest Reds (Zinfandel & Mourvedre). These pair well with caramels and chocolates.

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## INSIDE THIS ISSUE:

- Chesapeake Bay Restoration
- Virginia Residential Landlord and Tenant Act (VRLTA)
- Retirement and Spousal Support

### *Allison's Adage:*

Thinking of retiring but responsible for paying spousal support? The courts have been mixed on the issue for years as to whether retirement constitutes a material change in circumstances. Finally, come July 1, 2018, the statutes regarding the award of spousal support and the modification of spousal support will include language specifically addressing retirement. First, under §20-107.1, when a court makes an award of spousal support at the contested divorce trial, it will be required to state whether retirement was contemplated and/or specifically considered by the court in making its award and, if so, the order must state the facts the court contemplated and considered. Second, under §20-109, when a payor is seeking to modify spousal support based on retirement, reaching full retirement age as defined by the Federal Social Security Act shall be a material change in circumstances and the court shall consider six new factors specifically relating to retirement.

The courts have held in the past that only the assets of the payor spouse should be considered when modification or termination of spousal support is sought. Section 20-109 will now require the court to consider the assets of both parties. Further, the court may consider the factors under §20-107.1(E) and the new retirement factors in §20-109 when determining a modification of spousal support.

Finally, if you are going through a divorce currently and thinking of signing a Separation Agreement, please note, effective July 1, 2018, spousal support is modifiable unless the agreement specifically states that it is non-modifiable.

As always, should you have any questions about any family law issue, give us a call.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

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## IN THIS ISSUE:

- Understanding How Credit Reports Are Compiled
- Distracted Driving Awareness Month
- Meet Oliver The Service Dog



## *Personal Injury*



April is Distracted Driving Awareness Month. Distracted driving continues to play an increasingly significant role in traffic accidents (latest statistics show a 6% increase in traffic fatalities since 2015). This serves as an unfortunate reminder that we need to continue our efforts to raise awareness and encourage safe driving skills, and work towards sensible legislation to help curb this dangerous and unnecessary habit.



**Brandon's Soapbox:** April is upon us and I have no idea where the first quarter of the year has gone. It hasn't taken us long to get comfortable in our new offices and the timing of our move was perfect as we are pleased to announce that Richard Biemiller and his paralegal Kimberly Dietz have joined our firm. Richard's extensive experience with commercial real estate loan closings, creditor's rights, and commercial bankruptcy law will allow us to expand into the world of commercial banking and real estate.

Many of you know about my fondness for good bourbon. I had the opportunity to taste a few of the bourbons that are being offered at the Tarnished Truth Distilling Company located in the Cavalier Hotel Hunt Room and I must say I was rather impressed. They have done a spectacular job renovating the Virginia Beach icon, so if you have a chance you should stop by.

If you have been to our office this past month, you may have noticed a puppy wandering the halls. Oliver is a Great Dane who Parks Zeigler is sponsoring as he trains to be a service dog through [Mutts With A Mission](http://Mutts With A Mission). Follow his journey at [www.facebook.com/oliverthegreatdane](http://www.facebook.com/oliverthegreatdane).

*Brandon*

## *Did you know?*



Your font selection can save you money. All fonts are not created equal, so changing fonts can save printer ink which can save you money. If you use a font with a lighter stroke, you use less ink per page. This only applies to inkjet printers, but you can lower your ink consumption by 10 percent by switching fonts. We all know how expensive printer ink is!



*"Life is what we make it.  
Always has been, always will be."  
— Grandma Moses*

## UNDERSTANDING HOW CREDIT REPORTS ARE COMPILED

An important message that we consistently emphasize is that everyone should routinely keep up with their credit reports by taking advantage of the free credit services provided by websites such as [Credit Sesame](#) and [Credit Karma](#). Taking these actions allow consumers to address credit issues sooner rather than later. We've published numerous blogs on the topic and Kellam regularly offers free seminars that address credit reporting disputes, fraud, and identity theft.

As important as it is to keep track of your credit to combat identity theft or credit fraud, it is also beneficial to understand how credit agencies compile the reports you request because it can help you focus your attention more productively when reviewing the report and disputing errors. The technological capabilities available today are certainly more efficient than those old file folders that contained notes on bill payments, receipts, and newspaper clippings, but that doesn't mean mistakes are no longer made. In an average month, a credit reporting agency can receive over 1.3 billion updates on trade lines. This amount of data can create operational challenges, and if they aren't handled properly, it can lead to errors. Some studies have estimated as many as 25% of consumers have errors on their reports.

Between the three credit reporting agencies, there are two systems used – the PIN-based system and a flat file system.

### PIN System

The PIN system works by linking all incoming data to a PIN number that is assigned to an individual. When a consumer or lender requests a credit report, that is when the report is compiled. The

report doesn't exist until it is requested. Once requested, the agency must match the PIN assigned data with the appropriate individual. This includes massive amounts of data from various databases to be collected and organized upon request. When dealing with this much information, human error is a certainty.

### Flat File System

The flat file system is similar to the "file folder" idea of a credit report. An individual is given a file and the data is compiled in this file as it is retrieved. Of course, this system can contain errors as well. For example, if an individual undergoes a name change after a divorce or marriage, it can lead to that person having more than one file simultaneously.

Credit reporting errors can have a substantial negative impact on your life making it difficult to attain various necessities (housing, cars, credit loans, etc.), so understanding how and when errors may occur can help keep you better informed when addressing potential issues. If you have any suspicion that a report is wrong, make an inquiry. As always, if you have any questions about your credit report, please contact us.

## *Mark Your Calendar*

### FREE SEMINAR

**Wednesday, April 25th, 6:30-7:30 pm**

### **7 Steps To Correct Errors On Your Credit Report**

M.E.O. Central Library,

Call Jackie at 757-426-4526 to RSVP

**Presented by Attorney Kellam T. Parks**



*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Street tacos refer to smaller, more manageable, on the go, “without a plate” type taco you may find on the street from food trucks and the likes. I love tacos and was excited to see mini (and I mean mini!) sized soft taco shells at the grocery store. I can now make pulled pork, beef, or chicken in a snap with my Instapot, and then serve the fixings I like in these pint-size entrees. Of course, you eat more than one, but all the ingredients can be distributed more evenly throughout the mini version. One of the most frustrating things about larger tacos, and/or tacos from a restaurant, is that they are uniformly assembled without considering the consumer’s Individual tastes. You know I’m not the only one who wants to taste sour cream at the beginning, middle, and end of my taco. Also, these smaller tacos do not fall apart if you added a tish too much salsa, because you gobble them up in just a few bites, so no time to get soggy! Do you know of any street taco vendors in the area, or have a favorite restaurant that serves them? Please share, you know I want to try them. Email me anytime at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). Looking forward to hearing from you soon. Oh, Happy Spring?

## Firm Spotlight



Our newest partner, Richard Biemiller, joins us with almost 30 years’ experience in commercial banking, both lending and collection, and real estate law. Being licensed in both Virginia and North Carolina allows Richard the ability to aid his clients in matters that cross state lines. He serves as the treasurer of the Tidewater Bankruptcy Bar Association and is a member of the Norfolk & Portsmouth Bar Association, Virginia Beach Bar Association, and Virginia Bar Association. We are honored to add such an accomplished attorney to Parks Zeigler and the expansion into the commercial banking and real estate areas.

## PZ Passion - Oliver The Service Dog

My name is Oliver and I am a service dog in training through [Mutts With A Mission](#), a non-profit organization located in Portsmouth, Virginia, that trains service dogs for veterans and Wounded Warriors. I am being raised by Parks Zeigler until I am certified, at which time I will be paired with a military veteran.

I am a Great Dane and at full size I should weigh approximately 170 lbs., which will give me great strength and reach. I will be what is called a mobility service dog. In addition to offering stability and emotional support to my partner, I will be trained to perform a variety of tasks. For example, I will be able to remind my partner to take his medicine, retrieve dropped items, and bring out of reach objects to him. In addition, I will be taught to tug open doors, close them again, turn lights on and off, push elevator buttons, and many more tasks that my partner finds difficult or impossible to do on their own and help give back some independence.



## Family Corner



Kellam and Kelly enjoyed a few days away at the Virginia Trial Lawyer Association’s Annual Conference in Williamsburg, Virginia.



Allison and her husband ran the 8K, and she and Conner ran the Final Mile at the Shamrock race.



## Cuban Montecristo #2

The crisp evening air this time of year is perfect for an evening around the fire pit and nothing completes the evening like a good cigar. One of my (Brandon’s) “go to” cigars is the Cuban Montecristo #2. It offers a complex flavor with a mix of wood, cedar, earth, nuts, along with a chocolate wrapper, and the construction is impeccable - the ash never falls off. So, before the weather warms up too much, grab a glass of scotch, light the fire pit, and indulge yourself.

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## INSIDE THIS ISSUE:

- Understanding How Credit Reports Are Compiled
- Distracted Driving Awareness Month
- Meet Oliver The Service Dog

## *Kellam's Tech Tips:*

This month I'm exploring Netflix Tips. The popular streaming service has many features that you may not be aware of (or using to the fullest). Some of the best offerings:

- Download for offline viewing – This feature allows for viewing when you don't have a connection. Though not available for all titles, for those that are, click on the title and hit the download icon. You can also tap the menu on the top left (three horizontal lines) and select "Available to Download" to see everything you can download.
- Create Profiles – If you have more than one person using the same Netflix account, to ensure that your saved items/interests are not jumbled, create a separate account for each person. Account>My Profile>Manage profiles.
- Rate Viewed Content – If you don't "thumb up" or "thumb down" what you watched, Netflix assumes you liked it and will recommend based on it. Be sure to rate things to get better recommendations.
- Discovering Best and Popular Titles – Since Netflix populates its categories mostly based on your viewing/ratings, it may be difficult to get the latest additions or most popular outside your sphere of viewing. Two resources are [www.instantwatcher.com](http://www.instantwatcher.com) (provides two-column list of most popular releases in last 24 hours, as well as latest releases) and PC Magazine's list of what's leaving and what's coming to Netflix each month.
- Master Genre List – To get the full list of all categories, you can go to the website: [www.netflix.com/browse/genre/\[INSERTNUMBER\]](http://www.netflix.com/browse/genre/[INSERTNUMBER]) and replace the bracketed part with the number of the genre you want. The master list of genres is here: <https://www.whats-on-netflix.com/other/the-netflix-id-bible-every-category-on-netflix/>

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

March 2018 Newsletter | VOLUME 7 - ISSUE 3 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Landlord and Tenant Relationships
- The Cavalier Hotel
- The Impact of the New Tax Law on Spousal Support



**Kellam's Corner:** Hard to believe it's been three years since Brandon joined me at the firm. This month also marks the one-year anniversary of our marketing manager, Geri Clark. She's been an amazing resource and has spurred us onward and upward. I am thankful Brandon and I were reunited as partners and for all the amazing people we have at Parks Zeigler. We've grown tremendously in the last three years and have news to share next month as to the firm's continued evolution.

Speaking of growth, we're continuing to settle in our new building at Kates Corner and look forward to showing the space to our friends and clients; we hope you have a chance to come by to visit soon.

*Kellam*

## *Personal Injury*



Virginia Beach drivers and Virginia drivers at large need to pay better attention while driving. According to recent data, Virginia was ranked 3rd out of the 50 US States with the worst drivers. Virginia Beach fared slightly better, coming in 12th on a list of 75 of the most populous US cities with the worst drivers. The list was calculated using comparative data that focused on DUIs, accidents, speeding tickets, citations, and fatalities. Hopefully we'll do better this year!



## *Did you know?*

James Earl Jones, who provided the iconic voice of Darth Vader, used that voice over CB radio during a cross country road trip. According to Jones the truckers "would really freak out," so he thought it was best to stop.



*"Live in each season as it passes: breathe the air,  
drink the drink, taste the fruit. "*

*— Henry David Thoreau*

## LANDLORD AND TENANT RELATIONSHIPS

The relationship between a landlord and a tenant is an important one and understanding the rights and obligations of both can help maintain a secure and comfortable living environment. When a problem arises, knowing the relevant laws can help in navigating disagreements more productively. We're addressing tenants this month and will focus on landlords next month, as we represent both in our practice.

Most residential tenancies are governed by the Virginia Residential Landlord and Tenant Act (VRLTA). It is recommended you review this Act if you are a tenant or a landlord subject to its provisions. <http://bit.ly/2FBqJAs>. The VRLTA applies to occupancy in all single-family and multifamily residential dwelling units; however if the landlord owns no more than two single-family residential dwelling units, the landlord may opt out by stating it in the rental agreement. A few important items:

- It is vital that a tenant read the lease carefully and ask questions if he/she doesn't understand a provision. The lease is the first thing a court will look to when determining a case.
- It's important that during a tenancy, a tenant document everything. Upon moving in and signing the lease agreement, if the tenant and the landlord agree to something that is not already covered in the lease, the modification or addendum should be written down and signed by both parties. A tenant should take photos or make a video of every room in the rented residence when moving in. The photos/video can be referred to when moving out to assure the security deposit is returned. Keeping a solid re-

cord of discussions with the landlord will be necessary if disagreements arise and can't be resolved.

- If a landlord is unwilling to address a tenant's grievance that the VRLTA states is the landlord's responsibility, a tenant cannot just stop paying rent. A tenant has the right to pay rent into court when there is a dispute (called a "tenant's assertion"), but all rent payments must be current (either to the landlord or paid to court).
- Landlords have a host of responsibilities to their tenants under the VRLTA, including keeping the residences in good working order. We recently litigated a landlord/tenant dispute and were able to negotiate the termination of our client's lease due to a non-remedied mold situation.
- Military members have certain rights under the Servicemembers Civil Relief Act that have been incorporated into the VRLTA, such as early termination of their leases.
- In residential tenancies, a landlord cannot lock out a tenant without going to court to seek possession (called an "Unlawful Detainer").

These are just some of the rights and responsibilities of tenants under Virginia law. If you encounter any tenancy issues, please contact us.

### *Firm Spotlight - We've Moved*

Our office is now located in the Kates Corner Complex at 4768 Euclid Road, Suite 103, Virginia Beach, VA 23462. Once you enter the Suite 103 lobby, take the elevator to the second floor, and our receptionist will be to your left.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Instant Pots – who has one? I was given one of these cooking craze devices a month ago and decided to finally try it. My Mother used her pressure cooker for several meals, but I never liked that big old pressure cooker, so I never used one. First, I watched several YouTube videos to see how easy it was to operate – I'd rather watch and learn than read and learn when using gadgets, the opposite of Kellam! So off to the store I went to buy pot roast, root veggies, and oh...let's try cabbage and corn beef because St. Paddy's is this month. Some folks pressure cook foods you could just heat in a pot, like adding horseradish, onion, bacon, and Coke to baked beans. The claim is that the "pressure" cooking adds more flavor to the beans. One video made cheesy bread. Not sure what the texture would be without dry heat, but I'd try it. I sautéed onions & garlic in the pot, browned the roast on all sides, then pressure cooked the roast with veggies. The result was a flavorful dish with moist meat. It took 45 minutes pressure cooking and 20 minutes to cool so steam was vented safely. Please, send your Instant Pot recipes or ideas to [dmontagna@pplaw.com](mailto:dmontagna@pplaw.com), I want to see what this baby can do!

## On The Local Front

### THE CAVALIER HOTEL

The ambitious project of reclaiming the historic Cavalier Hotel has finally been completed. The famous hotel opened its doors after a painstaking four-year renovation and remodeling effort that brought the extravagant neoclassical features, such as the original floor in the Grand Lobby and the Crystal Ballroom, back to life.

The renovation was impressively thorough, but the re-opening also introduces new additions that go along well with the historic hotel's original offerings. A great example of this is the Tarnished Truth Distilling Company as a compliment to the Hunt Room. Tarnished Truth Distilling Company is the first craft distillery operating in a hotel. The spirits created in the distillery are uniquely paired with a specially curated menu offered in the Hunt Room, which retained its original floor plan and grand fireplace.

Among the numerous stories that inhere in the history of the Cavalier, the pool (known as "The Plunge") is one of the most interesting. The original pool was fed with ocean water straight from the nearby Atlantic and was enjoyed by many famous guests over the years, including F. Scott Fitzgerald, among others. During the war years, the pool was drained by the Navy and used for radar/sonar training. With the renovation, the pool was resurfaced, restored, adorned with the Cavalier crest, and it retained its saltwater purity.

## Mark Your Calendar

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**7 Steps To Correct Errors On Your Credit Report**  
M.E.O. Central Library, Call Jackie at 757-426-4526 to RSVP  
**Presented by Attorney Kellam T. Parks**



## Family Corner



Deb's granddaughter Aly turned 1... Dad made her a bear cake with Minnie Mouse, her favorite!



Meghan and her husband Javier recently enjoyed a fun filled weekend trip to Breckenridge, CO. After an adventurous snowmobile ride up the mountain, this photo was taken at the Georgia Pass.



## Richly Sweet Dessert Wines

This month I'm (Kellam) returning to dessert wines for the third type – Richly Sweet. There are several ways to produce this wine: (a) Late Harvest – grapes hang on the vine longer and become more sweet; (b) Noble Rot – a spore rots the grapes, adding sweet flavor; (c) Straw Mat – grapes are laid out on straw mats to raisinate before being pressed into wine; and (d) Ice Wine – extremely rare and expensive because it only occurs in years where a vineyard freezes and grapes must be harvested and pressed while still frozen.

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## INSIDE THIS ISSUE:

- Landlord and Tenant Relationships
- The Cavalier Hotel
- The Impact of the New Tax Law on Spousal Support

### *Allison's Adage:*

There has been a lot of discussion about the new tax law and its impact on spousal support (a/k/a alimony). I will try to simplify it as much as possible for this article (and always recommend getting advice from a tax professional or tax attorney for all tax issues). First, the new tax law does not affect the deductibility of spousal support until January 1, 2019. Second, so long as a) your divorce decree is entered prior to January 1, 2019; b) your separation agreement is executed prior to January 1, 2019; or c) you have a court order entered prior to January 1, 2019, (e.g. a Juvenile Court Order, which provides for the payment of spousal support from one spouse to another) spousal support will remain deductible to the payor and taxable to the payee. Third, any modification to a, b, or c after December 31, 2018, will not change the deductibility of spousal support unless the modification expressly states otherwise. Therefore, if you enter into a Separation Agreement in 2018, but you are not divorced until 2019, the spousal support will still be deductible to the payor.

But what happens if there is only a temporary order for spousal support entered in 2018? From my understanding of the tax law, so long as the temporary order is entered in 2018, the spousal support will continue to be tax deductible to the payor so long as that order remains in existence. However, if the temporary order is supplanted by a Separation Agreement executed in 2019 or a Final Decree entered in 2019, the spousal support would no longer be tax deductible.

There has also been a question about the applicability of the new tax law to Premarital Agreements. A strict application of the definition of "divorce or separation instrument" does not cover Premarital Agreements. Therefore, if you entered into a Premarital Agreement that provides for spousal support upon separation or divorce and you do not enter into a Separation Agreement in 2018 or you are not divorced in 2018, the spousal support will not be tax deductible. The new tax law can be confusing. When in doubt, please reach out – we can review and loop in a tax professional when warranted.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

# STAYING *in Touch*

February 2018 Newsletter | VOLUME 7 - ISSUE 2 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- We've Moved!
- Tax Season Frauds and Scams
- The Straightening of the Savoy



Photo of the Savoy from OxBlue timelapse, courtesy of Hourigan Construction

## *PZ Passion*

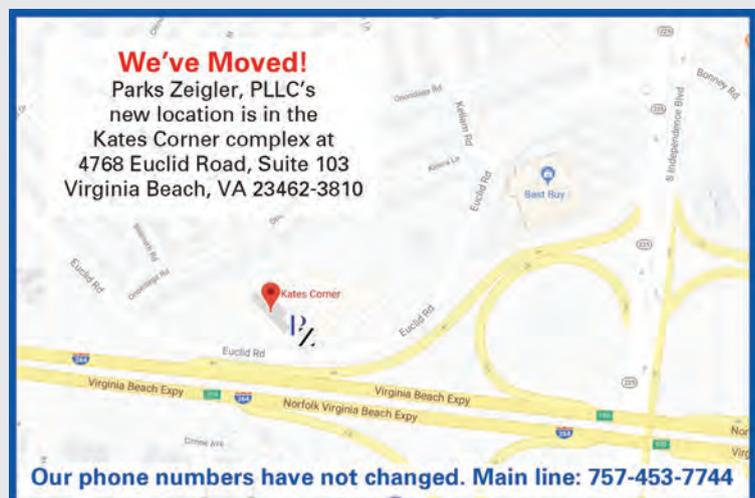
As we are a locally owned and run business, we believe in giving back to the community. Our first project for 2018 is a college scholarship. If you know of a student who is currently a senior at Green Run Collegiate High School (GRCHS), our firm is offering a \$6,000 scholarship to one college-bound student. Lauren Gipson, the School Counselor Department Chair at GRCHS, has the application with all requirements and can assist with the completion and submission of the entry. In keeping with our paperless practice, all completed applications must be received via email no later than 3:00 pm on April 20, 2018.



**Brandon's Soapbox:** It is official, we have moved! Our new location is 4768 Euclid Road, Suite 103, Virginia Beach, VA 23462-3810. The complex is named Kates Corner and is located behind the Best Buy on Independence Boulevard. It is always an ordeal when taking on a move of this caliber but being a paperless office certainly limited the number of documents we needed to transport. We look forward to being able to better serve our clients in our new offices. We have doubled our physical space; increased the size, number, and quality of our conference rooms; and have a more functional workspace for everyone. This will be our launching pad for a great 2018 and beyond.

As you all know, my hopes of seeing the Steelers win their 7th Super Bowl didn't happen; nevertheless, the Super Bowl is always a great time to gather with friends and family. While my heart wasn't in the game, I did enjoy the time spent with good friends and of course the traditional spread of food and a few beverages.

*Brandon*





*"Happiness Shouldn't Be a Goal,  
It Should Be a Habit "*

*— Richard Branson*

## TAX SEASON FRAUDS AND SCAMS

Tax season began January 29th and, like previous years, scammers are looking to take advantage of an increased flow of sensitive information that taxpayers submit to the IRS.

One method making its return (because it continues to be effective) involves scammers calling people and requesting sensitive information, often warning that if they don't comply it will result in a negative consequence. Senior citizens are often the target of these scams. There are various scripts used in this method, but regardless of the story used, please remember, the IRS will not contact you via phone! If someone calls requesting or demanding immediate payment or personal/financial information, simply hang up.

Email phishing scams are also a threat. Similar to how scammers will make phone calls requesting or demanding sensitive information, they will also send emails in hopes of fooling would-be victims into sharing information via email.

Another popular method involves a thief claiming to be a company executive or high-level employee, sending an email to a company employee who has access to the personal information of others (e.g. payroll personnel or accountants) and requesting access to the sensitive financial information of employees. The IRS reports that last year more than 200 employers and/or employees fell victim of this scam which exposed the information of thousands of workers. It's important that owners inform those with access to this type of information, especially W2s, that they should not respond without first checking and confirming that the emails are legitimate.

So, what can you do? For starters, as was mentioned above, ignore requests for financial information over the phone. Second, if you work with a tax professional when filing your taxes, don't hesitate to ask about current scams and their experiences in dealing with them. Part of their job is informing you of all relevant information and addressing your concerns. Also, file your taxes early. This leaves less time for thieves to access your information. If you are a victim, you'll need to contact the IRS and fill out form 14039.

If you're an employer and you were a victim of the scam mentioned above, email [dataloss@irs.gov](mailto:dataloss@irs.gov) with the subject "W-2 data loss." Do not include any personally identifiable information, but be sure to include the following –

- Business name
- Business employer identification number (EIN) associated with the data loss
- Contact name
- Contact phone number
- Summary of how the data loss occurred
- Number of employees impacted

Filing your taxes can be a daunting task and the threat of being scammed adds to the stress. The IRS is doing its part to inform employers, taxpayers, tax professionals, and senior citizens about these threats. This year is the first year that a verification code will be included on W2s. Please visit the IRS website for more information and if you have any additional questions about identity theft during tax time, or at any time, please contact us.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

February 2nd was National Crepe Day so I am sharing my favorite blintz recipe that I make every Christmas. Kellam and Popsie always get a container for their households. By request, I committed to making them once in Spring as well. This recipe comes from Ethel Odessky, a friend of our Mom who was affectionally called my "Jewish Grandmother." I invested in a good crepe pan, but you can use 9"-10" sauté pan, if it is flat enough to give you an even battered crepe – important to crepe making. What goes inside can be any number of fillings from savory (think meat, vegetables and/or cheese) to something sweet. My Winterton family makes a version which they spread with peanut butter then pour syrup & dust with powder sugar for a breakfast meal. Our recipe calls for a lightly sweetened ricotta and cream cheese mixture with cinnamon. Once blintzes are made, store them in the fridge. When ready to eat, simply sauté in melted butter until lightly browned and heated thoroughly. I like more cinnamon sugar, Kellam and my daughter prefer to top theirs with the strawberry freezer jam we make every Spring. However you choose to fill/top yours, this recipe makes a foldable, light and good tasting crepe. You can find this recipe on our website at <http://www.pzlaw.com/library/ethel-odesskys-blintz-recipe.cfm>.

## On The Local Front

### THE STRAIGHTENING OF THE SAVOY

The historic Savoy building which is commonly referred to as the "leaning tower of Granby," located in downtown Norfolk at the corner of City Hall Avenue and Granby Street, was recently straightened by the Marathon Development Group.

The reasons that caused the 110-year-old building to lean are debated. Some believe it was because that area of downtown Norfolk used to be part of the waterway. Others believe that the construction of the Royster, a neighboring building, disrupted the foundation of the Savoy. Whatever the cause, the goal to straighten it was an ambitious one.

Initially, the plan was to raise the building (which weighs 6.5 million pounds) a quarter-inch per day using 84 hydraulic jacks. Adding to the difficulty was that one column had to be raised 13 ½ inches while the other 20 columns had to be moved a lesser, unique amount. A job this delicate and complex was projected to take a substantial amount of time; however, it was completed in about four days! Once the crew began the job, it was discovered that the structure was relatively sturdy which allowed the crew to move more quickly.

With the help of some complex math and a special relationship with the building, one that project planner Danny Speight compared to going on dates and learning more about the building each day, the Savoy was successfully straightened. There are plans to convert the building into apartments. All in, the straightening project cost \$3 million.

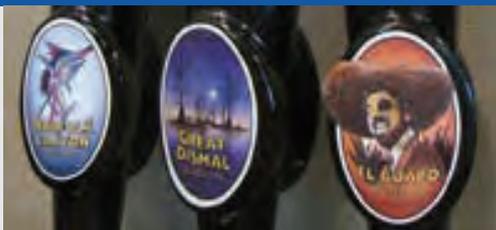
## Family Corner



Meet Lia's new pup, Jackson! Jackson is a 5 year old English Labrador Retriever that was surrendered after his prior family decided they no longer had time for him. Jackson has acclimated quite well to being showered with love and attention by Lia and her family. #rescuedog



Jackie's pup is a Dapple Dachshund which she rescued about a year ago. Wall-e struggled in the snow this winter but managed to have a great time even though his legs are so short. #rescuedog



## Craft Beers

This month I'm highlighting one of my favorite local craft breweries, O'Connor Brewing Company, and more specifically one of its Indian Pale Ales (IPA). El Guapo is a medium-bodied Agave IPA with a hint of citrus, a note of sweet caramel, and a smooth, not overly-hoppy finish. In an ever more-crowded world of craft beers, this one stands out for its "drinkability" and balanced taste. This IPA is a perfect complement to most spicy foods and of course always works well when you are thirsty (my favorite excuse). If you find yourself in Norfolk, stop by their brewery at 211 W. 24th Street.

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- We've Moved!
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## *Kellam's Tech Tip:*

This month is our annual roundup of cool new tech/gadgets coming out of the Consumer Electronics Show (CES), which happens every January.

- The Razer Phone. This android phone has an amazing screen with excellent integrated stereo speakers. It was revealed at CES that this phone will be the first to play Netflix in HDR (High Dynamic Range), which expands both the contracts and color significantly.
- LG Display's Roll-Up OLED TV – a 65-inch, 4K OLED display that rolls down into a tube (like an upside-down window shade). Just a concept item for now, but has modes to take advantage of different extensions (all-the-way up, 21x9 mode, or even just a little bar for Apps).
- Samsung Family Hub Smart Fridge – Upgraded specs from last-year's model; amazing hardware/software combination.
- Kohler Numi Intelligent Toilet – To compliment your smart-fridge is a smart-toilet. The Numi offers hands-free flushing, bidet cleansing, feet warming, air-drying, odor control, music, a night light, and automatic seat temperature management. Oh, and you can even ask Alexa to flush.
- Nvidia's BFGD (Big Format Gaming Display) – For computer gamers, this 65" gaming monitor is a beast, maximizing low latency for the perfect gaming experience.
- Speak Music's Muse – An Oreo-sized device that plugs into your vehicle's USB slot (or lighter socket) and then connects to your phone via Bluetooth to allow Alexa-control on everything from music to getting the weather.

These are just a handful of really cool new tech displayed this year. Lots more to check out, just search "CES 2018" for more.

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# STAYING *in Touch*

January 2018 Newsletter | VOLUME 7 - ISSUE 1 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Military Retirement Benefits
- The End of the Feeder Roads
- Financial Planning in Divorce



**Kellam's Corner:** Another January, another Snowmageddon! I thought the storm last January was bad, but this "bomb cyclone" was something else. Coupled with the long low temps, it was brutal. I hope everyone stayed warm and safe.

We haven't let the weather slow us down at the firm – Meghan is settled in and an excellent addition to the firm, already assisting clients with their family law and civil litigation needs. We're progressing nicely with the firm move occurring in February and working on a number of projects to increase the firm's visibility and reach.

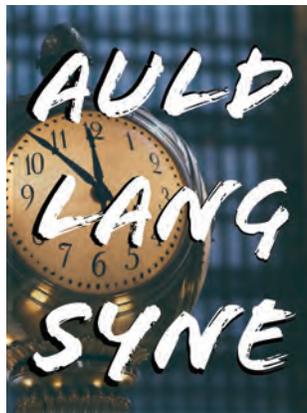
We wish everyone an amazing 2018. We'd love to hear from you throughout the year.

*Kellam*

## *Family Law*



The Military Family Stability Act was signed into law in December, 2017. This bill allows more flexibility for military families when forced to relocate. Specifically, it allows families to relocate early or remain at their current station for up to six months longer after receiving their new assignment. This can allow children to complete a school year without disruption and also help military spouses pursue professional or educational goals.



## *Did you know?*

The tradition of singing Auld Lang Syne at the turn of the new year was started by Guy Lombardo in 1929, when his band performed the song, which is an old Scottish folk tune, at the Roosevelt in New York City on New Year's Eve.



*"The best way to predict the future is to create it."*

*— Abraham Lincoln*

## MILITARY RETIREMENT BENEFITS

Changes made to military retirement benefits back in 2016 take effect this month. The new retirement system is referred to as the "Blended Retirement System" ("BRS"). In this issue we want to briefly go over these changes, as they certainly will have an impact on servicemembers and it's important to know relevant information entailed in these changes.

While many items are being affected by the legislation, this article will focus on two major points: (1) changes to pension and (2) changes to the Thrift Savings Plan ("TSP").

**Pension:** Under the new structuring, retirement pay will be 2% times the number of years of service. So, for example, if a servicemember retires after 20 years of service, then their retirement pay will be 40% of their final base pay. A service member can choose one of two options when it comes to taking retirement pay - either full pension or one of two options for a lump-sum disbursement upon retirement. The differences between the two options for lump-sum payments lie in how the monthly annuities are dispersed.

Another important change as to retirement pay is an adjustment to the formula for dividing military retirement in instances of divorce. This adjustment changed the definition of "disposable retired pay." Before the change, disposable pay included promotions and increases in pay that the military member received for cost-of-living after a divorce. Now, retired pay is divided as if the military member retired on the date of the divorce without those increases.

**Thrift Savings Plan:** The TSP is a defined contribution plan for federal employees. The military will contribute 1% of the service member's base pay commencing 60 days from their date of service. Servicemembers are automatically enrolled with a 3% contribution which can be raised, lowered, or terminated thereafter. In addition, the military will match up to 5% of individual contributions after two years of service and the service member would be vested after two years of service.

We've published a more detailed summary of these changes along with some additional information on our website at <https://goo.gl/uXxFLH>, as it is hard to include everything within the confines of our newsletter. If you have any questions about these changes, or military family law in general, please contact us and feel free to ask any questions you have.

## *Firm Spotlight*

We are moving on February 16th! Our new location is located at 4768 Euclid Road, Suite 103, Virginia Beach, Virginia 23452. Our phone numbers will remain the same.



*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

The pecan pie cobbler I shared with you in November was much easier than the pie, but I needed something new to share with folks and still craved pecan something. As much as I love good chocolate, I equally love good cheesecake. I have never successfully made one of those either. Jackie, however, made a nice-looking Pecan Pie Cheesecake for dinner with friends and brought the leftovers to the office. Trust me when I say this crew loves treats, leftover or not. This dessert was so good, and disappeared so fast, that I immediately went out and bought her the cream cheese to make us another one! It has all the goodness of pecan pie – butter, corn syrup, vanilla, and pecans. Add to that yumminess – cream cheese, brown sugar, heavy cream, and more vanilla. And top it off with more butter, cinnamon, whipping cream and pecans! I'd ask her to make us another, but I don't want to use up all our bake-for-us-tickets at once. Jackie has graciously shared the recipe to post on our website at <http://www.pzlaw.com/library/Pecan-Pie-Cheesecake.pdf>. Just know that when you give a friend good cheesecake, they will ask for more!!

## On The Local Front

### THE END OF THE FEEDER ROADS

Anyone who lives in the Virginia Beach area knows that the feeder roads which run parallel to Laskin Road near the oceanfront have caused confusion for drivers over the years. Between vehicles crisscrossing as passengers try to reach the shops, drivers weaving back and forth between the feeder roads and Laskin Road, a plethora of stop signs and traffic lights that cloud who has right of way, and the danger of crossing multiple lanes, this area has become particularly difficult and dangerous to negotiate for those familiar with the area, let alone visitors.

The Virginian Pilot reports via Bill Haggarty, the city project manager, that, after repeated failed efforts to do away with the feeder lanes that date back as far as the 90s, the project has officially been funded and will begin next year. In its entirety, the project is predicted to cost \$50 million, with funds coming from both the city and state. This project will see numerous changes made, the most substantial of which will be the widening of Laskin Road from Red Robin Road to Republic Road, a portion of road spanning 1.5 miles. The project will also upgrade the intersection at First Colonial Road and Laskin Road, replace the bridge crossing over Linkhorn Bay, and widen First Colonial from Laural Lane to Interstate 264.

In addition to doing away with the confusion that came with the feeder roads, Haggarty says that the improvements will also relieve traffic congestion, particularly at the First Colonial-Laskin intersection.

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**7 Steps To Correct Errors On Your Credit Report**  
M.E.O. Central Library, Call Jackie at 757-426-4526 to RSVP  
**Presented by Attorney Kellam T. Parks**



## Family Corner



Deb had all her children in town for the holidays and she certainly enjoyed her time with all her grandchildren; so did Uncle Kellam and Popsie.



Jackie's parents and son were in town for Christmas and you can be sure their celebration included all these four legged family members.



## Dessert Wines - Lightly Sweet

This month I'm (Kellam) returning to dessert wines for the second type – Lightly Sweet. These wines pair well with spicy foods (e.g. Indian or Asian) and most are meant to be enjoyed without aging. These have intense fruit flavors and are delicious with fruit-based and vanilla desserts. Typical examples of less sweet to more sweet: Moscatel, Viognier, Chenin Blanc, Riesling, and Gewürztraminer.

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## INSIDE THIS ISSUE:

- Military Retirement Benefits
- The End of the Feeder Roads
- Financial Planning in Divorce

### *Allison's Adage:*

Going through a divorce evokes a myriad of emotions that can make it difficult to execute decisions that will better serve your interests after the divorce. One of the most crucial aspects of this process is financial planning. To help make the most well-informed decisions based on your situation, I've outlined five general tips that lead to a more financially secure post-divorce life.

**1ST - OBTAIN YOUR CREDIT REPORT.** You never know if your spouse may have taken out credit in your name without your knowledge. If that is the case, make sure you file a dispute with the credit agencies for the unauthorized accounts. If you have issues with the disputes, our own Kellam Parks specializes in this area and can help. **2ND - GET IN TOUCH WITH A TRUSTED FINANCIAL PLANNER AS EARLY AS YOU CAN.** An objective and experienced guide can keep you informed and focused on your interests through the complex readjustments and allocations of funds that may have previously been managed mutually or by your spouse. **3RD - BE PATIENT AND DON'T MAKE ANY EMOTIONALLY MOTIVATED DECISIONS REGARDING THE DIVISION OF ASSETS.** Small "symbolic" victories may end up disadvantaging you in the long run. **4TH - USE WHAT YOU LEARN IN THE PROCESS AS A GUIDE TO MAKE A FRESH FINANCIAL START FOR YOUR NEW LIFE.** You can use your past experience to make wiser decisions towards a more secure financial future. **5TH - BE FRUGAL WITH YOUR SPENDING IN THE FIRST YEAR AFTER THE DIVORCE.** Surprise expenditures will certainly arise that you'll have to navigate, so maybe hold off on those larger recreational purchases until you settle into a new pattern financially.

As I mentioned above, these are very general rules to help frame a strategic approach. Each situation will necessitate specific actions. A good financial planner, as well as your attorney, will help you through your process.

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## IN THIS ISSUE:

- Divorce and Social Security
- A Surf Park May Replace the Dome
- Tech Tips for Apple's iOS 11.1



Photo by Venture Realty Group

## *Family Law*

### Dictionary co-parent

/kō'pernt/

verb

gerund or present participle: co-parenting

(especially of a separated or unmarried couple) share the duties of parenting (a child).

Divorce mediation plays a crucial role by moving the difficult process forward in a productive and respectful way for the estranged spouses. However, another equally important role of mediation is the arranging of a healthy co-parenting dynamic that focuses efforts on the child(ren) first. This can go a long way in securing a better future for the child(ren) and both spouses after the divorce is final.



**Brandon's Soapbox:** The holiday season – the time of twinkling lights, family gatherings, crackling fireplaces, snowball fights (hopefully), and of course, personal reflection. I find myself reflecting on my endeavors this year, both personal and professional, and I count my many blessings. 2017 has proven to be an astonishing year and I have had the opportunity to work with many wonderful people. My term as president of the Virginia Beach Bar Association comes to an end this month. The all-volunteer Board of the Virginia Beach Bar Association did a wonderful job this year and if this year counts as a success it is because of them.

2018 will bring many changes to Parks Zeigler; most notably, our newest attorney, Meaghan Casey, will have started the new year with us. She will continue to focus her practice in family law, but also bring her considerable trial experience to bear in civil matters. Please introduce yourself if you have a chance. We are preparing for our move in February and, even though we are a paperless office, moving will still be quite a task; however, we are all looking forward to our new space. As the saying goes, out with the old, in with the new: may you be happy the whole year through. Happy New Year!

*Brandon*



## *Did you know?*

To provide enough Thanksgiving turkey for the crew of the USS Nimitz (A U.S. Navy supercarrier), the Navy acquires 3000 lbs. of turkey, all given names and airlifted from the US. The food is prepared with the help of 159 culinary specialists!



*"May your walls know joy, may every room hold laughter, and every window open to great possibility."*

*— Mary Anne Radmacher*

## **DIVORCE AND SOCIAL SECURITY**

As we all know, when a couple is legally married they gain access to a number of added benefits and advantages that reflect the nature and ideal permanency of their union. These include collective social security benefits between the spouses; the idea being that the fruit of each other's labor can be shared together after retirement. However, divorce and remarriage can impact whether a spouse still has access to those benefits.

### **Social Security**

In order to receive Social Security retirement benefits on an ex-spouse's record, you (1) must have been married to the ex-spouse for at least 10 years, (2) be unmarried, (3) be age 62 or older, and (4) be entitled to a social security benefit that is less than the benefit you would receive based on your ex-spouse's work history. Another important thing to know is that you can claim your ex-spouse's benefits before they do if you so choose.

### **Re-marriage**

In the case of a divorce, you still have access to your ex-spouse's benefits if you were married for at least 10 years; however, if you get remarried, the rights to those benefits are forfeited. Conversely, if your ex-spouse remarries, that does not impact your right to his or her SS benefits.

### **Survivor Benefits**

Some people may think of Social Security only in terms of retirement, but it also includes survivor benefits (benefits paid to widows or widowers from a deceased spouse). If your marriage to an ex-spouse lasted for more than 10 years, survivor benefit payments will be triggered by their passing. These pay-

ments are not altered if your ex-spouse was remarried and you are still entitled if you remarry so long as you remarry after the age of 60. So, for example, if your spouse passes when you are 48 years old and you remarry when you are 51, survivor benefits will no longer be available to you; however, if you marry after the age of 60, those benefits will continue.

If a divorce or your spouse's passing is imminent, it's important to discuss the various challenges that can arise when it comes to the allocation of financial assets accrued during the course of your marriage. A knowledgeable attorney can help you focus on the most pressing questions while constructing a path forward. As always, if you have any questions about family law matters, such as divorce and the financial impact of the same, please contact us.

## *Firm Spotlight*



Our newest attorney, Meghan M. Casey, is a graduate of Notre Dame, and Richmond School of Law. Meghan will be continuing her focus on family law matters and civil litigation. She is an active member of the Norfolk/Portsmouth Bar Association and the Virginia Beach Bar Association, focusing on the Young Lawyer Divisions in both. She is also a volunteer in the Virginia Beach C.L.A.S.S. Program, assisting domestic violence victims in the Juvenile Court.

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## Deb Dishes:

Christmas time! Oh the plethora of baking and candy making and the giving of homemade goodness to family and friends. I wrangled Geri's daughter, Krista, to come to my house and make four new candy recipes. It was a pleasure to have assistance, as candy making requires constant stirring of the boiling sugar, butter, and milk found in most recipes. We made Root Beer Truffles, Pistachio Fudge, Pumpkin Spice Fudge, and English Toffee. The toffee was made in a sectional silicone baking sheet so that it came out in individual pieces, without having to break the toffee up into an uneven mess. I think this sheet will be fun for bite size brownies as well. Since I like things nutty, I used more pistachios than called for in the Pistachio Fudge recipe. On another note, I would skip the caramel sauce on the Pumpkin Fudge, it stays sticky and made a mess when stored. This fudge is plenty sweet and the caramel was not a significant flavor addition. The Root Beer Truffles show a chocolate drizzle on the recipe photo, but call for a milk, sugar and flavoring drizzle. This topping was too wet for storage; I plan to use a melted chocolate drizzle next time. You can find complete recipes for these treats on our website in our recipe library: <http://www.pzlaw.com/library/recipes/>.

## On The Local Front

### A SURF PARK MAY REPLACE THE DOME

The Virginia Beach Dome, built in 1957, was for a long time an iconic and identifying structure for the city that hosted concerts by artists such as Ray Charles, The Rolling Stones, and The Monkees, just to name a few. However, since it was torn down in 1994, the city has not been able to find a proper replacement to fill its shoes, and it's not for lack of trying.

A new idea was introduced by none other than Virginia Beach native Pharrell Williams, the world-famous musician (a member of N.E.R.D., The Neptunes, and a solo artist). In late November, the Virginia Beach Development Authority voted to move forward with the project – a surf park that also includes shops, a live music venue, and apartments. Discussing his interest in this project, Williams said, “[t]here is a lot of symbolism to be able to build something that is so monumental and is such a magnet for our city where the Dome site was.”

The city entered into a six-month contract with Venture Realty Group and will work closely with Williams, who has been paying attention to the city's two-decade struggle in finding a sufficient replacement for the 10-acre site. The hope is that this complex, which is estimated to cost \$300 million in its entirety, will help Virginia Beach become a year-round tourist destination. If all goes as planned, they will break ground in 2019.

## Mark Your Calendar

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**7 Steps To Correct Errors On Your Credit Report**  
**Wednesday, January 24th, 6:30-7:30 pm**  
M.P.O. Central Library, Call Jackie at 757-426-4526 to RSVP



## Family Corner



Kellam and his wife, Kelly, at Wedmore Place in Williamsburg for a recent overnight getaway.



Deb and her daughter Cara had a magical time at Walt Disney World with both of Cara's boys.



## Oxtail Stew

One of my (Brandon) favorite meals this time of year is Oxtail Stew. Not your everyday meal. Not beef stroganoff. But every bit a delicious meal and an easy preparation and perfect for a slow cooker. Coat the oxtail with flour and sear. Remove from the heat. Add white onions, green onions, thyme, allspice, Worcestershire, smoked paprika, garlic, and bay leaves. Sweat down all items. Add oxtail and a bottle of good red wine. Cook for 2 hours and add potatoes. Cook for another hour. There are many versions on the internet so pick your favorite preparation but do not be shy with this amazing dish.

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## INSIDE THIS ISSUE:

- Divorce and Social Security
- A Surf Park May Replace the Dome
- Tech Tips for Apple's iOS 11.1

### *Kellam's Tech Tip:*

The newest version of Apple's iOS is 11.2 and was released on December 2nd. As many people are upgrading to the iPhone 8 and X, it is a good time to discuss a few tips/tricks of the updated iOS (references both 11 and 11.2):

- The Control Center has been updated to put everything on one page and you can customize the look if you don't like the default (Settings>Control Center>Customize Controls)
- Zoom in on Maps – While you can always pinch to zoom in and out, with Maps, you can double-tap your finger or thumb and keep pressed down on the screen, then move it up to zoom in on the map or move it down to zoom out
- Track a flight – Just type the flight number into Safari's address bar and the details of the flight will pop up (and tap on that to see a real-time map of where the plane is)
- The upgraded iOS comes with over 100 new emoji!
- Type one-handed – If you press and hold the globe/emoji icon on the keyboard, you'll see three icons for the keyboard. "Normal" is what is usually there, but you can choose "Left" or "Right" images to put a ¾ keyboard on that side of the screen to reach easier with your thumb
- Siri Translator – It can translate from English to French, German, Spanish, Italian, and Chinese. You can also replay a translation straight from Siri's answer by tapping the play button
- Turn a website into a .pdf from Safari – No need for a third-party app, just tap the Share button at the bottom of the screen. Underneath a row of apps, you'll see a list of actions and there is "Create PDF" option

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## IN THIS ISSUE:

- Social Media Defamation
- Hampton Roads Bridge-Tunnel Expansion
- Handling The Holidays



Photo by Ben Schumin

## *Personal Injury*



We have all been warned on the dangers of distracted driving, however in Hawaii pedestrians can now be ticketed for distracted walking. If someone walks across an intersection with their face glued to their phone, they can be fined up to \$99, regardless of if there is an accident. No other state criminalizes distracted walking, however, law or no law; driving or walking, it's best to pay attention to your surroundings.



**Kellam's Corner:** All of us at Parks Zeigler wish everyone a wonderful Thanksgiving. We give thanks to you for your continued trust and support, without which we wouldn't be experiencing the success that we have this year. As always, we encourage you to reach out if we can be of assistance, no matter the subject. There are only a few practice areas we don't handle, but even if your need falls within those few areas, we are confident we can put you with the right person to handle your legal needs.

As to firm news, we're pleased to say that we recently hired a new associate attorney who will be joining us in December. We'll be featuring her in the next issue of the Newsletter, so stay tuned for more details! Our attorneys continue to publish and speak across Virginia – be sure to follow us on our Facebook page and watch our Twitter feed for timely updates on what we're doing and where we'll be.

*Kellam*



## *Did you know?*

Leo Fender, the originator of Fender guitars and amplifiers, and the preferred brand of so many guitar virtuosos including Jimi Hendrix, Eric Clapton, Bonnie Raitt, and John Mayer, never learned how to play guitar.



*"If you want to conquer fear, don't sit home and think about it. Go out and get busy."*

*- Dale Carnegie*

## SOCIAL MEDIA DEFAMATION

Recently in North Carolina, a social media defamation lawsuit ended with a judge awarding the plaintiff, Davyne Dial, \$500,000. Michael Green, a professor at Wake Forest University School of Law was stunned at the high dollar amount of the verdict.

Dial filed the suit after Jacquelyn Hammond (whom Dial knew) implied in a Facebook comment feed relating to Dial, that Dial had gotten drunk and caused the death of her own child; however, Dial's son had, in fact, died in 1976 as a result of an accidental shooting. The comment in question was only visible for a few minutes before being taken down. Dial's friend took a screenshot of the comment and showed it to Dial. Hammond claimed that the comment was accidentally posted in public view and that she had meant to post the comment into another discussion forum.

This case exemplifies some of the unique aspects of defamation in the era of social media. Defamation is a false or partially false statement written (libel) or spoken (slander) that hurts someone's reputation. In some cases, the person suing for defamation must prove resulting monetary damages such as loss of earnings, but in other cases this is not necessary to obtain a monetary award. For statements that are deemed inherently harmful to reputation, such as claiming that someone stole another's property or committed some other crime, the law presumes harm to reputation and the judge or jury is given wide latitude to determine the amount of a monetary judgment. While defamation has long been a basis for potential civil liability, with the rise of social media it takes on new di-

mensions. The ease, immediacy, and potentially "viral" reach of posts to social media platforms will usually increase the injurious impact of defamatory comments. In the case mentioned above, regardless of Hammond's intention or the short length of time before the comment was deleted, the defamatory nature of the comment itself is not lessened and the statement was subject to being captured, stored, and possibly re-published virtually indefinitely.

Additionally, some social media platforms allow people to post anonymously, and while an individual may think that they can avoid consequences if they post anonymously or pseudonymously, this is not the case. Special legal procedures permit a business or individual to file a defamation suit against an anonymous poster, and very often the inerasable digital trail will lead a technically-savvy attorney to the true identity of that person. It's important to always keep in mind that content posted to the internet rarely goes away completely, even if the content is deleted or anonymized. Asking friends to post defamatory content that is regionally dispersed in an effort to obscure the original source can also be exposed by a good attorney.

Social media, for all of its advantages, also comes with unique responsibilities and vulnerabilities, and demands a heightened awareness of potential consequences involved in posting comments or other statements online. We have experience with defamation cases of both the traditional sort and digital-age defamation, including tracking down anonymous or pseudonymous posters. If you have any questions about your rights or concerns related to this area, please contact us.

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## Deb Dishes:

Fall and Thanksgiving! Craft shows and food! The wooden pilgrims and turkey in the photo were made by my mother and me, back when she had a thriving craft business with many elves. I am not a pie maker, but love pecan pie. For years I attempted to bake the perfect pecan pie, and each year I either burned the top or the middle was too runny for pie (although great over ice cream). This year I have found the solution! Dixie's Pecan Pie Cobbler. First, it feeds more people than a round pie so I don't have to make two pies for Thanksgiving. Second, it has a double layer of crust goodness for those who like the gooey sweet crust of this pie. Third, it's a little runny on purpose! While I found this recipe online, I have modified it just a tish and took it to the office for taste testing and feedback. It still has butter, corn syrup, brown sugar, eggs, vanilla, and pecans, but in different quantities to make this unlike the solid form of a traditional pecan pie. It also does not require an hour plus of baking time. You can find the complete recipe on our website, in our library of recipes: <http://www.pzlaw.com/library/recipes/>. Let me know your favorite holiday dessert!

## On The Local Front

### HAMPTON ROADS BRIDGE-TUNNEL EXPANSION

When making the commute between the South Side and the Peninsula, there is a guarantee that you'll run into traffic as you approach the Hampton Roads Bridge-Tunnel ("HRBT"). Well, if all goes as planned, by 2024 these daily delays will hopefully be lessened.

In December of 2016, the Commonwealth Transportation Board cast a unanimous vote to expand the HRBT. In doing so, they green lit a 3.3 billion-dollar infrastructure improvement in what will become the largest construction project in Virginia's history, intended to relieve the gridlock caused by the 100,000 vehicles on the HRBT daily.

The expansion will be funded mostly through tax revenue and tolls, with an additional \$200-400 million from the state. There is also the hope that some funding will come from President Trump's infrastructure plan. The Virginia Department of Transportation will work with the Army Corp of Engineers to secure the environmental permits. Virginia Transportation Secretary Aubrey Lane says that the project is scheduled to start at the end of 2018, and if all stays on schedule, will be completed in 2024.

Sec. Lane is careful to emphasize that this will not completely alleviate traffic delays on the HRBT region of I-64 as Virginia expects continual population growth in the area. He also mentions that the project will cause "some short-term discomfort" during construction, but local residents and businesses will not be displaced. He is certain that upon completion the situation will be "much improved."

## Family Corner



Allison's son Connor dressed up as a red power ranger and Zach's daughter Bellamy dressed up as a scarecrow. Both had fun trick-or-treating and hopefully shared their candy.



Jackie, Geri, Bianca, Deb, and Kelly rode 25 miles at the Citizens for a Better Eastern Shore 25th Annual Between the Waters Bike Tour. They survived and are looking forward to riding again next year!



## Dessert Wines

This month I'm (Kellam) diving into the first of the five types of dessert wines mentioned last time – Sparkling. These wines can be varying degrees of sweetness. Some French/Italian terms to be aware of – (a) Demi-Sec and Semi Secco ("off dry"), which is less sweet and (b) Doux and Dolce/Dulce ("sweet"), which is, naturally, more sweet. Good food pairings with sparkling wine are brie-style cheeses, shrimp/shellfish, oysters, fruit-based desserts, and shortbread cookies. Be adventurous and try out a Cava from Spain or Riesling Sekt from Germany!

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## INSIDE THIS ISSUE:

- Social Media Defamation
- Hampton Roads Bridge-Tunnel Expansion
- Handling The Holidays

### *Allison's Adage:*

Ah, the holidays. A time of joy, laughter, and spending time with family. However, when your family is no longer intact, the holidays can be a stressful and emotional time. When you have children, you must remember that their best interests are paramount. What you or your ex want should never overshadow what is in the best interest of your children. The holidays should continue to be a time of joy and laughter. Once children are grown, they should not look back at their past holiday experiences and cringe; however, unfortunately, often that is the case. If you are in the unfortunate circumstance of having to divide the holidays with an ex, remember the following:

1. Put the children first. You should never prevent your ex from seeing the children just to prove a point or to make the other person angry.
2. Plan ahead as much as possible. You don't want to try and schedule the holidays at the last minute. That only causes more stress and drama.
3. Be flexible. Both parties should be willing to compromise. If you are inflexible, you will end up fighting every time.
4. Be nice. My clients probably hate it when I say it, but "you catch more flies with honey than you do vinegar." Your tone or choice of words can turn an amicable situation into an argument.

Hope you have a very happy and safe holiday season!

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# STAYING *in Touch*

October 2017 Newsletter | VOLUME 6 - ISSUE 10 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Cyber Defamation
- The Effect of Social Media on Personal Injury Cases
- The Marea Transatlantic Cable



**Brandon's Soapbox:** For most, Fall means the return to school. While Summer should be carefree time, the return to school days means a schedule is back in place. I can also relate when the newness of school in September turns to the grind of school in October. October also means the end of the year is near. I will finish my term as President of the Virginia Beach Bar Association in December 2017. It was an honor holding this position and I owe a large debt of gratitude to the fellow members of the Board who give so much of their time and effort.

The coming new year will mark many changes for Parks Zeigler, PLLC. We will move into our new space in February. We will also see our office changing in other ways, as Alex is leaving us for a new employment opportunity in the coming weeks. We wish him well in his new endeavor.

*Brandon*

## *Personal Injury*



Social media is a public forum and negative comments posted about an individual or businesses on sites like Facebook and Yelp can have a substantial impact on their reputation and livelihood. If the comments are false, victims can file a defamation lawsuit to protect their reputation. Defamation only concerns facts, not opinions. Victims must also show that the comment damaged them in some way; however, there are some categories of statements that are so obviously injurious that damages are presumed (e.g. falsely accusing someone of a crime). If you find yourself a victim of online defamation, call us for help.



## *Did you know?*

The terms "Broadway play" or "Off Broadway play" do not reference the theater's address, but rather the number of seats the theater holds. A "Broadway" theater seats at least 500 people, an "Off Broadway" theater seats 100-499 people, and an "Off-Off Broadway" theater seats 99 people or less. However, these terms only apply to theaters in Manhattan.



*"The time you enjoy wasting is not wasted time."*

*- Bertrand Russell*

## THE EFFECT OF SOCIAL MEDIA ON PERSONAL INJURY CASES

As recently as last month we've written about the dangers of posting to your social media feeds while going through a divorce. The reasons for this are easy to understand –if what you post on your feed counters what you say in front of a judge, it will hurt your case. However, it's important to remember that social media feeds should generally be avoided altogether when engaged in other legal issues as well, such as personal injury.

People often let their guard down when posting to their Facebook or Instagram feed and mistakenly think that if what they say isn't an intentional lie or doesn't directly counter their claim, it can't be used against them. Keep in mind, making your account private does not guarantee your posts won't be found. Make no mistake, insurance companies have employees who check up on defendants' social media feeds to look for any information that helps their case in court. But what exactly are they looking for?

We've highlighted three types of posts that can get you into trouble. Importantly, they are usually posts that are made without any thought to their potential legal ramifications.

*"I'm just grateful no one was hurt."*

When posting in the immediate wake of an accident, some may want to inform their friends and loved ones that everyone involved is "OK." However, it is not unusual for injuries to be felt after some time has passed since the accident. What might be an honest post made immediately following the accident could very well be later used against you if you make a personal injury claim.

### *Idealized Life*

The image of our daily lives that we post in our social media feed is often a more idealized version of our actual lives. Normally, of course, this is not a problem; however, if the image of your life does not reflect the reality of your life, especially in the aftermath of an auto accident, this can be a huge issue.

*"I posted what?"*

Personal injury cases can last months, even years. As we all know, as time passes, our memory becomes foggier. If we find ourselves in court struggling to recall important details, our social media feeds can be used against us. If you are asked about a particular time in the distant past and you are having a hard time remembering, or if your recounting differs from your social media timeline, your feed may hold more validity than your contemporary recollection.

This is not meant to be an exhaustive list, rather, it's simply to highlight some circumstances that people may not consider. The posts we make on social media are mostly good natured and are rarely in direct relation to any legal issue we may be going through, but an insurance company or someone who has brought suit against you will look for any possible evidence that will help their case, regardless of the intention or "truth" of said post. Further, these days our daily lives revolve so heavily around our social media presence that it's difficult to avoid, even when a positive outcome in your court case may depend on it. Be smart and always listen to your legal counsel.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

I know this is the time of year so many folks go pumpkin spice crazy, and we have several recipes on our website you will want to try, but I'm thinking about chili. I was surprised to hear someone state they had never made chili before.....???? It's so easy and you can customize it to your taste. It's one of those quick easy meals I learned early on from our Mom. Take 2 pounds of lean ground chuck (beef), 1 small onion chopped, 2 cloves of minced garlic, about 30 oz. tomato sauce (or diced tomatoes), Two 16 oz. cans red kidney beans, 3-4 Tbs chili powder, 1 tsp salt, 1 tsp pepper, 2 tsp cayenne pepper (optional), 1 tsp ground cumin (optional) – yes, we like it hot. Brown the beef, drain, add tomato sauce, beans and spices. Cook on medium high for at least 1 hour, or simmer for several hours. It's even better the next day after overnight in the fridge. I love that you have so many choices to top this dish that it can make each bowl a different experience. We usually have sour cream, sharp cheddar cheese, crushed Fritos and/or saltine crackers, and Paul's cornbread (<https://tinyurl.com/yc5lvjnx>). For the ultimate chili bar try spring onions, jalapeños, lettuce, olives, avocado, bacon, corn nuts, goldfish, ranch dressing, and even tater tots. The possibilities are endless! Bowl up and spoon in folks, Fall has arrived.

## On The Local Front

### THE MAREA TRANSATLANTIC CABLE

Last month, government leaders and executives met in Williamsburg to celebrate the completion of the newest transatlantic cable that stretches 17,000 miles across the Atlantic Ocean from Bilbao, Spain to Virginia Beach. According to the Virginian Pilot, the cable, named Marea (Spanish for "tide"), will be able to transfer 160 terabits of data per second! It follows a more southern route than other cables which will help protect it against natural disasters that could otherwise cause consequential disruptions in service. The cable is owned by Microsoft, Facebook, and Telxius.

Virginia Beach was selected as the cable's east coast station in part because Microsoft and Facebook both have large data centers here and because 70% of the world's data traverses through the region. Northern Virginia is a major hub of dense data centers. This is an important development for the Hampton Roads region because it can attract a new category of industry, which up until now consists mainly of military and tourism. In addition to being one of the largest shipping ports on the east coast, the landing of Marea could contribute to Hampton Roads becoming one of the most important data ports on the east coast as well.

Marea's completion comes at an opportune time because Amazon is currently looking to find a location for its second headquarters. Officials are hoping the cable will entice Amazon to move to the area, a move that would surely bring more attention to the region. Regarding this possibility, the Virginian Pilot writes that "Virginia Beach leaders hope this cable puts them on the cusp of being a digital port that could attract companies wanting their data to be near a cable landing for the extra speed."

## Family Corner



Allison's son Connor started Kindergarten this year all full of smiles and excitement. Good Luck!



Deb and Jackie enjoyed many concerts this summer at the Virginia Beach Amphitheater. They finished the season out enjoying a great show by the Zac Brown Band.



## Single Barrel vs Small-Batch Bourbon

This month I'm [Brandon] discussing the difference between single barrel and small-batch bourbon. It isn't in the ingredients, it's in the process, and more importantly, the barrel. Single barrel bourbons, just like the name suggests, come from a single barrel hand-picked by the master distiller. Small-batch bourbons are a blend of multiple barrels being 'married' together to create a unique hybrid bourbon. If consistency is what you enjoy then you would be smart to stick with single barrel bourbons, but if you are a bourbon lover who enjoys new flavors, I recommend trying a small batch bourbon.

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## *Kellam's Tech Tip:*

This month I'm tackling Google Photos, a popular cloud photo storage service. It is available for free and the mobile app has unlimited photo (and video) backup, so long as the file is under 16 megapixels. The service converts photos to 16 MP (and downgrades videos shot above 1080p). Never worry about losing photos if your phone gets lost or destroyed. Top features/tips:

- Can view any album as a slideshow (which pairs nicely showing via TV)
- Search your photos as Google Photos auto-tags (i.e. you can search all dogs, it'll recognize them within the photos most of the time)
- Backup images beyond taken by the phone (such as Instagram or WhatsApp)
- Dive deep with Google Photos' photo editor or create collages, animations, and movies with Google Assistant.
- Easy ability to download images for use or editing elsewhere.
- Easy sharing of pictures and albums with anyone. If they use Google Photos, you can create a Shared Library too.

Google Photos is a robust cloud-based service that will let you keep, view, edit, and share your photos. I recommend trying it out.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

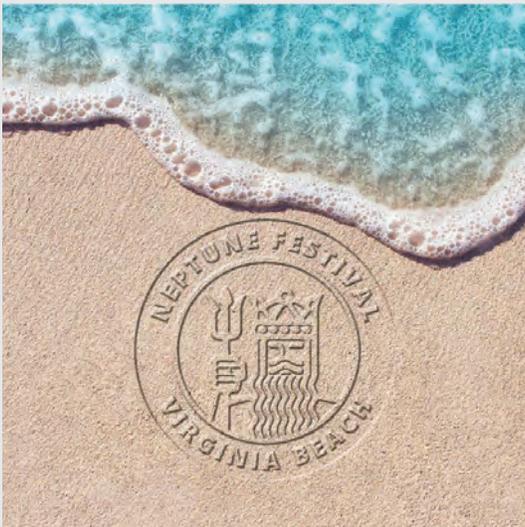
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## IN THIS ISSUE:

- Credit Cards for a Small Business
- Were You Affected By The Equifax Data Breach?
- The 44th Annual Neptune Festival



## *Small Business*



If you have your own small business, having a business credit card is recommended. It allows you to avoid running up your personal credit card with business purchases and they generally have a higher line of credit than personal cards. These cards can come with their own limitations, however, such as higher rates that are sometimes increased unpredictably. Other issues can be overnight changes in terms, more penalties, and the business being liable for employee purchases.



**Kellam's Corner:** Back-to-school month - I hope that everyone had a smooth transition from Summer. At the Parks house, Avery started her second year at ODU. Where does the time go?

At the firm, we're continuing to grow to better serve our clients. We are looking for an associate attorney with two to five years' civil litigation experience to handle civil and family law cases; if you know someone that is looking, send them our way (more details on our website). I'm also extremely pleased to announce that we recently closed on a new office space for the firm to accommodate our expanded presence. We'll be moving by March of next year, stay tuned for updates and details.

Our attorneys continue to teach, speak, and write on our practice areas and technology and the practice of law. Check out the details on our website [www.pzlaw.com](http://www.pzlaw.com) and social media.

*Kellam*



## *Did you know?*

Due to their remarkable scent tracking ability, bloodhounds are often referred to as a "nose with a dog attached." In fact, the trailing results of a bloodhound are admissible in court as evidence. For more information, PBS has a great article at [www.pbs.org/wnet/nature/underdogs-the-bloodhounds-amazing-sense-of-smell/350/](http://www.pbs.org/wnet/nature/underdogs-the-bloodhounds-amazing-sense-of-smell/350/).



*"Carry out a random act of kindness, with no expectation of reward, safe in the knowledge that one day someone might do the same for you."*

*- Princess Diana*

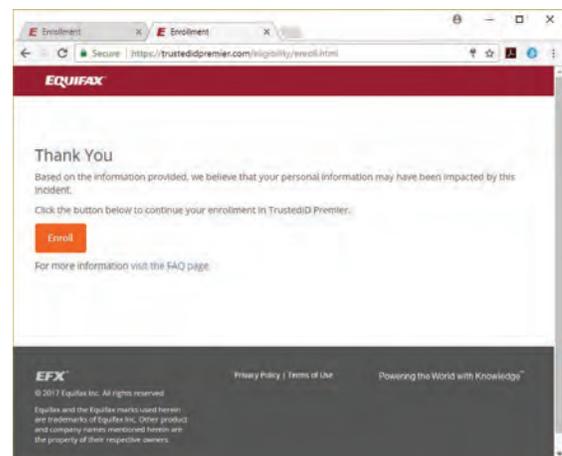
## WERE YOU AFFECTED BY THE EQUIFAX DATA BREACH?

It was reported this month that Equifax, one of the "big three" credit reporting agencies, was the target of a massive data breach. The breach exposed the information of 143 million Americans, compromising social security numbers, driver's license numbers, birth dates, and addresses. Additionally, the credit card numbers of over 200,000 customers were exposed, as well as the personal identifying information on about 182,000 customers involved in credit disputes. According to Equifax, the breach occurred mid-May through July of this year. Equifax will be contacting those whose credit cards or dispute records were affected.

Equifax is offering information on the breach and a way to check if you were affected at <https://www.equifaxsecurity2017.com/>. They are also offering one year of free credit monitoring, even if you are not affected by the breach. There was some initial concern based on their terms and services that accepting this monitoring would waive certain legal rights; however, on September 10, Equifax issued a statement indicating that the arbitration clause and class action waiver in the Equifax terms of use do not apply to this cybersecurity incident. We will continue to monitor and update information on our website and social media pages as more is known.

A breach of this nature exemplifies the importance of regularly monitoring your credit. We strongly recommend you sign up at [www.CreditKarma.com](http://www.CreditKarma.com) and [www.CreditSesame.com](http://www.CreditSesame.com).

They are free credit monitoring services and, between the two of them, cover all three credit reporting agencies – Equifax, Transunion, and Experian. They also provide free credit scores updated at least monthly. Preparing for a data breach or identity theft, instead of reacting to one after it happens, is a much better position to be in when something like this occurs. If you discover any errors or fraud, please contact us at 757-453-7744.



To learn more information on credit reporting agencies, credit fraud, and situations such as the Equifax breach, we invite you to attend Kellam's next free seminar on this topic on November 11th, 10:30 AM at the M.E.O. Central Library, 4100 Virginia Beach Boulevard, Virginia Beach, VA 23452. Please email [info@pzlaw.com](mailto:info@pzlaw.com) to register.

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## Deb Dishes:

I'm very big these days on shortcuts, as I'm busy with life and less with cooking. Sam's Club makes juicy rotisserie chickens that are \$4.88 – what a deal! So, what to do with that tasty bird? One idea is to take 2 c shredded chicken, mixed with ½ c taco sauce – spread over flatbread of your choice, top with 1.5 c cheese of choice – bake 8-10 minutes until cheese is thoroughly melted. Drop spoonfuls of sour cream around pizza, add shredded lettuce, sliced olives, maybe some chopped tomatoes, and even some crushed up Doritos. Quick, easy, and yummy. Another option for a heartier meal is to gather 1.5 c water, 1 c three cheese pasta sauce (jar), 1.5 c uncooked bow tie pasta, 2 c shredded chicken, ¾ c frozen peas, 1 tsp Italian seasoning, and ½ c Parmesan-Romano cheese. In a skillet, heat water, pasta sauce, and pasta to a boil, stirring occasionally. Reduce heat to medium; cover and simmer 8 minutes, again stir occasionally. Add chicken, frozen peas, and Italian seasoning. Cover; simmer 5 to 7 minutes longer or until pasta is tender. Sprinkle with cheese and serve. This one reminds me of my favorite Cheesecake Factory dish – Pasta Carbonara, so if you wanted to add bacon and a little garlic to this recipe... well, that's just fine with me!

## On The Local Front

### THE 44TH ANNUAL NEPTUNE FESTIVAL

The 44th Annual Neptune Festival is gearing up for another great weekend of events at the Virginia Beach Oceanfront. The festival runs September 29th through October 1st.

This year's festival is packed with fun events and great performances that will definitely give you and your family a reason to go check it out. There will be a whole host of events over the three-day weekend, including the Neptune Festival Grand Parade, the Fireworks Extravaganza, and the Neptune's Volleyball Tournament. And, of course, the International Sand Sculpting Championship makes its return as it has been a fan favorite since its inception.

The Neptune Festival is a local gem that positively impacts the community in so many ways, working with local charity organizations such as EQUI-KIDS, The Governor's School for the Arts, Toby's Dream Foundation, Achievable Dream Foundation, Virginia Beach Rotary, Town Center Kiwanis Club, and many others to bring residents and visitors a taste of our community.

One event that we are particularly excited about is "Hometown Heroes: Neptune's Final Toast," where local heroes will be celebrated and honored for their sacrifice for their local communities, their state, and their country. Whether it be the military, public education, or our local police force – the Neptune Festival is recognizing those who have worked in their own field in "ways that provide valuable and critically needed services to all of us. They do this every day - quietly, efficiently and effectively."

Oh, and we can't forget the great food and art work that will be displayed to the public for free along the Boardwalk. For a complete schedule, please visit [www.neptunefestival.com](http://www.neptunefestival.com). Hope to see you there!

## Family Corner



Deb and her daughter Cara traveled to Indiana last month to visit her son Paul and his family. It isn't very often that she gets to spend time with both of her children and all of her grandchildren. What great memories!



Kellam and Kelly enjoyed themselves at "Flavor: A Culinary Collaboration of Beer & Food" which was held at Hunt Club Farm.



## Dessert Wines

This month I'm (Kellam) circling back to wine, but discussing dessert wines. There are five basic types (with an example next to each): sparkling (Asti Spumante), lightly sweet (Gewürztraminer), richly sweet (Muscat), sweet red (Recioto della Valpolicella), and fortified (Port). I'll be diving into each of these types in the months to come with a more in-depth discussion of what they are, more examples of each, and suggested food pairings. Stay tuned!

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### *Allison's Adage:*

When parents split up, whether married or not, disagreements often occur about school for their child(ren). Should they go to public or private school? Should they be held back a year? Should they be homeschooled or attend an online school? I understand their dilemma. My son is four and starts Kindergarten this year. My husband and I have debated about whether we hold him back, repeat Kindergarten, or just let school run its course despite the fact that he made the age cutoff by one week. My husband and I have concerns about my son's boredom if he repeats Kindergarten in public school after attending Kindergarten in private school. If he doesn't repeat Kindergarten, will he be bullied because he is the smallest and youngest in his class? There are no easy answers and the difficulty of the decision is only amplified when two parents cannot agree or be civil to each other long enough to have a rational discussion about the issue. Often that means letting a judge decide your child's fate. Do you really want to do that? I suppose if your answer is "yes," that is great for us family law lawyers, but is that really in the best interest of your child(ren)? One thing I would suggest before resorting to court intervention is to talk it over with a family counselor. Often, sitting down with a neutral party can be helpful, but you have to be invested in the process and willing to listen. If that does not work, then by all means, come see me.



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## IN THIS ISSUE:

- Know Your Storm Evacuation Zone
- New Technologies
- Bicycle Laws



## *Personal Injury*



In Virginia, bicyclists can rely on both motor vehicle laws and pedestrian laws. This means, for example, that a bicyclist can legally ride on both roadways and sidewalks, and can cross intersections using the road way as a motor vehicle, or the pedestrian walk ways. This may cause confusion for all parties involved and could potentially lead to an accident. If you're new to the area, or just want to begin biking around your community more often, be sure to check out the VDOT website for a complete list of bicycle laws.



**Brandon's Soapbox:** As summer comes to an end and we prepare for the start of a new school year, I hope that you and your family found some time to relax and enjoy some valuable family time. As my son grows, and our schedules get busier, I realize how important it is to spend meaningful time with him. With longer days and warm weather, it is nice to slow down and spend some quality time together.

On Monday, August 21, 2017, all of North America will be treated to an eclipse of the sun. A solar eclipse happens when the moon passes between the sun and Earth and blocks all or part of the sun for up to three hours. The last time the contiguous U.S. saw a total eclipse was in 1979. In Virginia Beach, zip code 23452, the eclipse will peak at 2:47:37 pm, when the moon obscures 85.7% of the sun. You never want to look directly at the sun without appropriate protection except during totality. We will have a limited supply of NASA-approved viewing glasses available at our office. Stop by and pick up a pair, or better yet, come by and view the eclipse with us.

*Brandon*

## *Did you know?*



There's a type of bread in Iceland that is baked in the ground with the help of geothermal baths. It takes a full 24 hours to bake. The bread is sometimes referred to as hverabrauð, which translates to "hot spring bread," and is a staple of Icelandic cuisine.



*"Keep your face to the sun and you will never see the shadows."*

*– Helen Keller*

## STAYING AHEAD OF THE CURVE WITH NEW TECHNOLOGIES

Parks Zeigler makes it a practice to remain up to date on the technological innovations that can be used to better serve our clients. As more technologies designed for law firms are developed, it's important to remain focused on the why of technology. It's easy to get excited about these new technologies and distracted by the hype surrounding them before really understanding if they are necessary.

Keeping a sober disposition towards new technologies is important because it actually helps maintain security. Recently, Business Insider published an article about how, when it comes to cybersecurity, the main vulnerability isn't the technology itself, but the human element that engages with those technologies. After all, in so many situations that result in the compromise of client or consumer data, the entry point for hackers is not a complex back door breach, but email phishing scams that unwitting employees open. It's not malicious internal agents, it's lack of awareness and scrutiny.

Our work at Parks Zeigler, and our utilization of technology, is focused around the client first. This is our steadfast beacon that informs how we use technology, and what technology we embrace. Going paperless (in addition to cutting down on waste and costs) allows us to communicate with immediacy and accuracy regarding our clients' cases, while still maintaining client information (better than unsecured filing cabinets holding paper files). Our utilization of technology revolves around those two points – service and protection.

In addition, internally, we emphasize training to ensure there is

awareness as to the points of vulnerability, new scams, phishing campaigns, malware, ransomware, etc.. As our firm grows, we continue to stress the importance of vigilance and education.

We embrace technology because we believe it is a necessity in today's current environment, and our experience tells us that these tools help us do our job better for you. If you have any questions about how our firm works, and how the technologies we utilize help better to realize our clients' goals, please contact us!

### *Firm Spotlight*



Our newest partner, Dave Littel, has over 20 years' experience trying civil cases at the highest level, including significant experience in personal injury matters. He is a long-standing member of the l'Anson Hoffman Inn of Court and the Norfolk/Portsmouth and Virginia Beach Bar Associations. Dave has served as

a volunteer with the CLASS program in Virginia Beach, assisting battered and abused persons in obtaining protective orders. We are honored to add such an accomplished attorney to Parks Zeigler and look forward to his contributions assisting our clients.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

The Summer heat lessens my desire to cook, but nothing kills my desire to eat! I'm liking all the "bowl" craziness for meals that are coming about. I'm not very good at fixing meals for one, and I don't want to eat the same thing all week. It's nice to think beyond three-four course meals and consider what fresh favors I can combine to make a tasty bowl meal. I've tried Noodles & Company, and Panera's and have been inspired. I'm trying several and my Chicken Orzo Bowl adaptation is easy. I like that I can grab some spinach off the salad bar at the grocery store for about .16¢, and not buy a whole bag. Or instead of having to clean and cut corn off the cob, I can use frozen corn- it still has a fresh crisp taste. Short cuts and semi-homemade are always a bonus in meal preparation. Another good use of rotisserie chicken is a family favorite Rachel Ray recipe to make burritos with the chicken, some chopped adobo peppers in a sauce, shredded cabbage, tomato sauce and cheese, rolled up and brushed with olive oil and then baked. You can find these recipes and, many more, on our website at <http://www.pzlaw.com/library/recipes/>. Let me know if you have a favorite, homemade or around town.

## On The Local Front

### KNOW YOUR STORM EVACUATION ZONE

We are right in the middle of the 2017 hurricane season, and this year the Virginia Department of Transportation (VDOT) established new tiered evacuation zones for Hampton Roads, which includes information on predicted flooding. The coastal Virginia area is now divided into four zones labeled A through D. According to the Virginia Department of Emergency Management website, these new zones will "provide residents with a better understanding of whether they should evacuate in an emergency or shelter at home, based on their street address and the nature of the emergency event."

In the case of an approaching storm, knowing what zone you're in and where the nearest evacuation route is located will help reduce traffic congestion, allow for more efficient evacuation, and reduce crowding at local storm shelters. Please visit <http://www.vaemergency.gov/hurricane-evacuation-zone-lookup/> to find your zone using its interactive map. It also includes an FAQ section to better inform you of up to date details regarding the evacuation routes.

## Mark Your Calendar

### FREE SEMINAR

**Fraud Prevention / Credit Report Errors**

**Wednesday, September 13th, 6:30 pm**

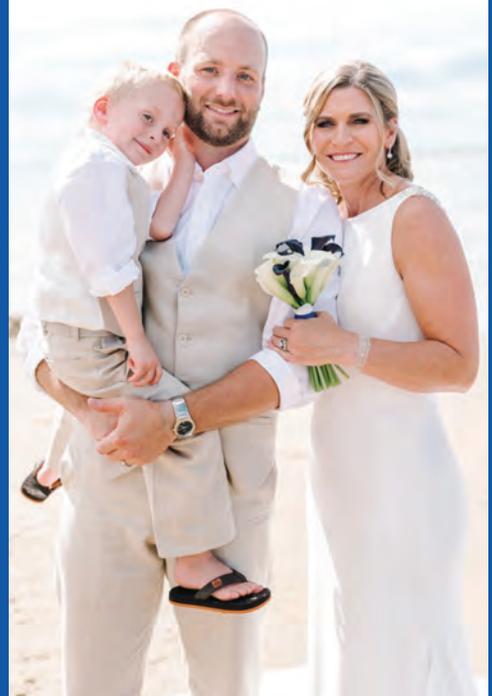
M.P.O. Central Library

Call Jackie at 757-426-4526 to RSVP

**Presented by Attorney Kellam T. Parks**



## Family Corner



Allison Anders married Matt DeWitt on June 24, 2017. Their son, Connor, took part in the ceremony as the ring bearer. After the wedding, the three headed to Cabo San Lucas for a much needed vacation, aka "Familymoon."



## Summertime Grilling

When it comes to summertime, it is hard to resist a fresh beef burger hot off the grill. When preparing a burger, I (Brandon) like to make it a healthy serving size – about three inches wide and one-half to three-quarters of an inch thick, or about the size of the palm of my hand. I prefer to use 80/20 ground chuck which keeps the burgers juicy and moist. Also, to prevent the meat from drying out, don't compress the patty too tightly. To top it off, I add a few grilled onions and mushrooms and then melt cheddar cheese. This is the perfect combination of texture and taste.

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## INSIDE THIS ISSUE:

- Know Your Storm Evacuation Zone
- New Technologies
- Bicycle Laws

## *Kellam's Tech Tip:*

This month is Part 2 of 2 of Android phone tips, continuing from our June Newsletter.

- Screen Pinning – You can lock an App to the screen so people you let use your phone can't leave it. This is default on most devices, but if it isn't, check the security menu. Tap the pin icon on any App and you can lock the screen to just that App (will give instructions on how to do it with your particular phone).
- Power Saving Modes – All Android phones have power saving modes (usually two or three). Head to Settings>Battery and choose the one you need. Most phones also allow automatic enabling when your battery reaches a certain battery level.
- Quick Settings – On most devices, the quick settings are the settings visible at the top of the phone that can be accessed by swiping down twice. Hit the "Edit" button and you can long-press the choices to rearrange (as only the first few will be visible at the top of the notification pane).
- Screen Casting – If you have a Chromecast, Android TV, or other compatible device hooked into your TV, you can mirror your phone (pictures/videos/etc.). Your Quick Settings should have an option to "Cast" or "Smart View" (or similar) and then select the device. Some phones require the Chromecast App, but you should be able to accomplish it with most Android phones.
- Save Offline Maps – You can download Google Maps for when you don't have internet access and includes streets, basic points of interest, and the ability to use turn-by-turn directions. When you find what you want to download, tap the search bar at the top of the screen, close the keyboard, and scroll to the bottom to download.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

July 2017 Newsletter | VOLUME 6 - ISSUE 7 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- July 1 Changes in Virginia Law
- Hampton Roads is Attracting Millennials
- Who Keeps The Wedding Ring?



## *Family Law*



In our last newsletter, we wrote about the potential pitfalls of “sharenting.” However, if you’re going through a separation or divorce, the same cautionary logic applies to what you reveal about yourself and your daily activities on your social media accounts. As a general rule of thumb, if you’re going through a divorce – it’s wise to consider refraining from using social media, or, at the very least think twice before you post anything.



**Kellam’s Corner:** We hope everyone had a safe and enjoyable 4th of July holiday. I got away for the Parks family’s annual 4th of July OBX vacation, which was the usual good time to relax. The week gives me the chance to recharge and focus on the second half of the year.

On the firm front, we recently finished the redesign of our website – take a look and let us know what you think. [www.pzlaw.com](http://www.pzlaw.com). As usual, we have several things in the works as to the growth and development of Parks Zeigler and we look forward to sharing soon.

*Kellam*

## *Did you know?*



The military has used silly string to detect trip wires in Iraq. Silly String can be shot up to 10-12 feet and it is light enough to not activate the tripwire.



*"The sea, once it casts its spell, holds one in its net of wonder forever."*

*— Jacques Cousteau*

## JULY 1 CHANGES IN VIRGINIA LAW

July 1 is the date most new laws passed by the Virginia Legislature take effect. Here are some of the more notable changes this year in our practice areas and ones of interest. We've given the link to the new laws text beside each.

### **HB 1586 – Court-ordered custody and visitation arrangements; transmission of order to child's school.**

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+ful+CHAP0509>

In all custody or visitation cases where an order is entered prohibiting a party from picking a child up from school or affects a child's school enrollment, the court shall order a party to provide a copy of the order to the child's school (or the child's new school if changing schools) within three business days.

### **HB 1709 – School boards; policies and procedures prohibiting bullying, parental notification.**

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+ful+CHAP0684>

Principals must now notify parents of any student involved in any bullying of the status of any investigation within five school days.

### **HB 2289 – Award of life insurance upon divorce or dissolution of marriage**

Gives the court the power, where there is ordered spousal support or separate maintenance, to order a party to maintain an existing life insurance policy, designate the other party as beneficiary, allocate the premium cost of the policy between the parties, and order the facilitation of information about the policy

between the parties. Currently, the court only has the ability to do these things when there is a child support obligation.

### **HB 2033 – Landlord and tenant law; residential tenancies; landlord and tenant obligations and remedies.**

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+ful+CHAP0730>

The Virginia Residential Landlord Tenant Act now applies to all tenancies and those that own no more than two single-family residential dwelling units subject to a rental agreement may opt out of the Act by stating so in the rental agreement (as opposed to the current law that exempts these tenancies unless they opt in to the Act). This Bill changes many existing Code sections as to landlord/tenancy law and it should be reviewed if you are a landlord or rent property.

### **HB 2267 – Health benefit plans; coverage for hormonal contraceptives.**

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+ful+CHAP0716>

Allows women to obtain a full year's prescription for birth control at one time (whereas currently limited to one or three months at a time).

### **HB 2201 – Failure to drive on right side of highways or observe traffic lanes; increase penalties.**

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+ful+CHAP0795>

Slow-pokes stay right. Drivers that travel slowly in the left lane of highways can now be fined \$100.

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## Deb Dishes:

Have you ever seen a dish or watched one of those mini-videos circulating on Facebook and wanted to make that recipe? Well, I became obsessed with making this Dragon Fruit Crepe Cake I saw on Facebook. I love making crepes, eating mascarpone and hot pink, so I had to find this Dragon fruit. Luckily Jackie found them on base, as I could not find them in three of our local grocery stores. They're pricey but full of colorful juice. I cannot say this was not worth the time it took, as it makes a great presentation. But I can say I am not impressed with the taste of Dragon fruit. The fruit really added nothing but color to this endeavor. I think raspberries would have been a better alternative. I brought it to the office for everyone to try and it was "ok," but nothing anyone wants to rush home to make themselves. So, if you're looking for a dessert that is not too sweet (a plus for those watching their sugar intake) and will make a great presentation, here you go! You can find the full recipe on our website at <http://www.pzlaw.com/library/2017-07-Dragon-Fruit-Crepe-Cake.pdf>. Have you made any unusual fruit or vegetable recipes? Have you seen any interesting mini-videos for an intriguing dish? Please send them to me at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com).

## On The Local Front

### HAMPTON ROADS IS ATTRACTING MILLENNIALS

In a study recently published by the Urban Land Institute, Hampton Roads was named the fastest growing region for millennials. Between 2010 and 2015, the millennial population (those between the ages of 25-34 years of age) grew by over 16%. Coming in at the number two spot was Richmond. The study included 50 areas nationwide. What is it about Hampton Roads that is so appealing to millennials? Sure, we have beautiful beaches and national parks, numerous colleges and universities, and there is continued discussion of Light Rail expansion even after the third Virginia Beach referendum failed in a landslide. What else is motivating young professionals to move to the Hampton Roads community more so than any other part of the country? Well, for starters:

1. There's a rich social fabric in our area. Districts such as VIBE in Virginia Beach and NEON in Norfolk, as well as Waterside Live, offer millennials a variety of options when it comes to letting loose and having fun.
2. It's not too expensive to live here. Hampton Roads has a lower cost of living, coming in at three points below the national index.
3. Hampton Roads is a culturally and ethnically diverse region, with each of our seven cities offering unique character and atmosphere.
4. Young professionals make up over 40% of the work force. With so many young workers in the area, it offers a greater feeling of community and like mindedness for millennials.
5. Employers in the region are looking to hire millennials. The Hampton Roads Economic Development Alliance focuses on fostering connections between employers and young professionals.

These are just a few of the many reasons our community is so appealing to millennials, and it shows no sign of slowing down, as 2017-2018 promises more development in our region.

## Family Corner



Brandon accepting as President of the Virginia Beach Bar Association a Virginia State Bar Award of Merit for the VBBA's Swim Program at Seatack Elementary at the VSB Annual Meeting.



Geri's triplets graduated high school and turned 18 this month. Good luck to them as they all head to different colleges.



## Bourbon Review

For my (Kellam) last two recommendations, I shared two of my favorite wines – this month, I turn the attention to bourbon. My favorite everyday bourbon is Woodford Reserve from Kentucky. It is smooth and easy to drink – triple distilled, sitting at 90 proof (which is on the low end of bourbons). It has notes of oak, cinnamon, and cherry. I enjoy it over a large ice cube to open up the flavor. Woodford Reserve is a good starter bourbon for the uninitiated.

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- Hampton Roads is Attracting Millennials
- Who Keeps The Wedding Ring?

### *Allison's Adage:*

When an engagement goes south after a ring has already been exchanged, what happens to the ring? If a couple ends the arrangement in conflict, does the law say who retains possession of the ring?

As an example of how this plays out, a few years ago a New York couple that were engaged ended up separating before they tied the knot; but not before Louis Billitier gave Christa Clark a 2.97-carat diamond worth \$53,000. When the couple split two months before the wedding date, Louis asked for the ring back but Christa refused. Louis backed off his request and told Christa to consider the ring a "\$50,000 parting ring... enough for a down payment on a house." However, about a month later, Louis apparently changed his mind and again asked for the ring back. This time he added that if she didn't return it, he'd sue.

So what is the law regarding this situation in Virginia? Generally speaking, the law states that if a gift is given (in this case, an engagement

ring) and the inducement for the gift is a promise to marry, then the ring may have to be returned if the couple ends the engagement. The key word being "may". Virginia has not yet ruled on how fault plays a role in whether the ring will have to be returned. Also, as in the New York case, if one party tells the other to keep the ring despite not getting married, the ring may be considered a gift and may not have to be returned.

In the case of the New York couple, because Louis said in a text message that the ring could be considered a parting gift, the court ruled that the ring did not have to be returned. So, if you give someone an engagement ring, remember that the words you exchange regarding the gift can make a difference if you want the ring back in the unfortunate case of a split.

If you have any questions about your divorce or separation, please feel free to get in touch with us.

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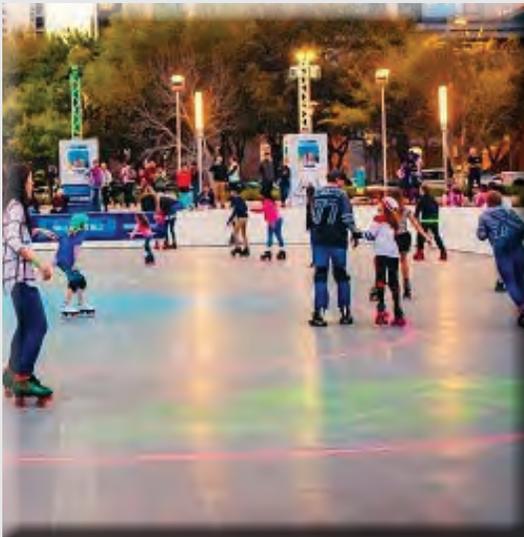
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June 2017 Newsletter | VOLUME 6 - ISSUE 6 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Small Business Classifications
- MacArthur Center Summer Activities
- Medicare Changes



## *Identity Theft*



Changes are coming to Medicare over the next couple of years, including the issuing of new Medicare cards. This is a welcome change because the current Medicare cards use Social Security numbers, which is obviously risky. The new Medicare cards will use a unique identification number. Importantly, no action needs to be taken to acquire new cards, so watch for any phone scams or suspicious emails informing you of steps that need to be taken.



**Brandon's Soapbox:** School is almost out and summer is almost here. Congratulations to all the recent graduates and remember, you can achieve whatever you want in life. All you have to do is believe that you can (and work hard)! Kellam and I are extremely excited to announce the addition of a new partner at Parks Zeigler. Dave Littel joined our firm this month, bringing the number of attorneys to five. Dave has over 20 years of experience trying civil litigation cases. His addition will allow us greater flexibility in our case load, and better service for our clients.

This year the summer solstice falls on Wednesday, June 21, at 12:24 AM. The timing of the solstice depends on when the Sun reaches its northern most point from the equator. This is the day with the most hours of sunlight during the year. Hopefully these longer days will afford you the opportunity to sit back and relax and spend some quality time with your family and friends.

*Brandon*

## *Did you know?*



While states have always had the authority to treat retirement and pension plans just like any other marital asset, the Uniformed Services Former Spouses' Protection Act (USFSPA) permits the states to classify military retired pay as property, as opposed to income.



*"If opportunity doesn't knock, build a door."*

*– Milton Berle*

## SMALL BUSINESS CLASSIFICATIONS

Small businesses are an important part of their communities. Businesses that employ 50 or fewer people are responsible for a third of all jobs in America according to the Small Business Administration ("SBA"). Additionally, most economists will argue that start-ups are the most reliable job creators in the last 10 years. Beside the clear national economic impact, small business are the ties that bind the unique local fabric of the cities and towns where they are located. However, when it comes to starting your own local business, there is a steep learning curve to doing it properly.

The process starts with properly registering your business with both the state and the city or county in which it is headquartered. One is not a substitute for the other and both are essential. Before starting your business, the form it will take is the most important decision.

There are six different classifications of business and each has different characteristics that provide certain advantages based on the business size and type of business being started.

- **Sole proprietorship** is the most basic structure in which the owner is responsible for the business' assets and liabilities.
- **Limited liability corporation**, or LLC, is an arrangement that provides substantially more legal protection than a sole proprietorship, but still affords flexibility on how to

operate. As the SBA states, an LCC "provide(s) the limited liability features of a corporation and the tax efficiencies and operational flexibility of a partnership."

- **Cooperative**, or "co-op" is a collective made up of individuals working to provide a service that benefits those involved. A food co-op is a popular version of this type of business structure.
- **Corporation** is a more complex arrangement that is generally more appropriate for larger companies with a lot of employees. This structure is typically not ideal for those wanting to start a small business.
- **Partnership** depends on the arrangement sought between those involved and the varying responsibilities involved.
- **"C" corporation** is taxed at both the personal and corporate level.
- **"S" corporation** is an arrangement similar to a "C" corporation, but the owner is only taxed at the personal level.

This is a pared down description of the six different business structures. If you have any questions about the details of starting your own business in Virginia, please feel free to contact us. We'd love to help you get the initial building blocks in place.

*We welcome your referrals!*

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## Deb Dishes:

It's summertime and the fishing is happening! While I love Wahoo, I can easily find tuna steaks in the grocery store to make this family favorite. You may have to buy a few ingredients you don't have on hand, but after you make this, those ingredients will become staples. Take tuna steaks and sprinkle lightly with Montreal Steak Seasoning and Five-Spice powder (cheap in the Asian market). Try this mixture on steaks too, it's equally tasty. You can grill, broil or pan sear in a touch of oil until your preferred doneness. Tuna does not take long to cook, so be sure to watch closely. We serve with peanut sauce pasta. Mix together 2 Tbsp. smooth peanut butter, 1 tsp. honey, 2 Tbsp. Tamari sauce (dark soy sauce), 1 tsp. sesame oil, and 1 tsp. ground ginger. Pour over about ¼ lb. cooked pasta noodles and sprinkle with 1 Tbsp. lightly toasted sesame seeds. Add a wild greens salad with some fresh picked strawberries for a quick, easy summertime meal. Yum! After mentioning this last month, I've had some inquires as to what is a "Ribbon" cake? The recipes for the cake and frosting are long, but can be found on our website for those of you who want to try the best cake ever. <http://goo.gl/rHFhQ>.

## On The Local Front

### MACARTHUR CENTER SUMMER ACTIVITIES

The MacArthur Center is adding two new exciting amenities for the summer season. The Virginian Pilot reports that an outdoor skating rink will be opening on June 2nd and will remain open until July 30th. The rink will be 7,200 square feet and can accommodate 200 roller skaters. Admission will cost \$12 and include skate rental and two hours of skating time. On Fridays, the rink will host food truck rodeos, and through the weekends different DJs will be playing favorites from the 70s, 80s, 90s, disco, or country depending on the night.

Beginning on June 1st, MacArthur Center is teaming up with Astro Entertainment to bring a six-week series showcasing family movies shown outside under the stars! Families can bring lawn chairs and blankets to the MacArthur Center Green and see a family friendly film every Wednesday evening at 8 pm. Street Eats food truck will be serving up popcorn and snow cones, and the best part is that admission is free!

MacArthur Center Movie schedule:

- Wednesday, June 21: "Monster Trucks"
- Wednesday, June 28: "The LEGO Batman Movie"
- Wednesday, July 5: "The Secret Life of Pets" Bring your dogs and cats to this movie! The Norfolk SPCA will be on-site collecting donations for a supply drive. Please bring pet food or a pet toy to donate. Be sure dogs are on leashes and cats are in carriers.
- Wednesday, July 12: "Elf"
- Wednesday, July 19: "Finding Dory"
- Wednesday, July 26: "Moana"

For more information call (757) 627-6000.

## Family Corner



Kellam and Kelly enjoyed a mid-week evening out at Saltine, one of the restaurants at the new hotel, The Main, in Norfolk.



Deb's Grandson, Bryant, began his 10th birthday celebrations with a day of fun at Ocean Breeze Waterpark.



## Indulgence

My (Brandon) definition of indulgence is taking time away from work to recharge with friends and family. With summer upon us, there is nothing better than to enjoy some good outdoor weather, dry aged steaks on the grill, ice cold beer, and good company.

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## INSIDE THIS ISSUE:

- Small Business Classifications
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## *Kellam's Tech Tip:*

With the release of the new Samsung S8, seemed a good time to discuss some Android phone tips. Since there are a lot of cool tips, this is Part 1 of 2.

- Bloatware – Android phones come pre-installed with Apps that you may not want. Some can be uninstalled through the Play Store (or through the App Settings menu); however, some cannot be uninstalled. For those, you can disable it via the App Menu – at the top will be a “Disable” button that removes it from your App lists and prevents it from running in the background.
- Find Misplaced Phone – Android Device Manager allows you to find your phone. Log into your Google Account and you can choose your missing phone from the drop down menu. You can also ring the phone (even if it's in silent mode) and remotely erase data if needed.
- Cloud Back Up – Open the Google Photos App and follow the prompts to enable auto-backup. The default is “high quality” and unlimited space. This compresses your photos (usually not an issue). You can make it better quality if you desire. You get 15 gigs of space for free.
- Use “OK Google” – You can search anything and do commands via voice by simply saying “OK Google” and then speak what you want. By default, it works on the home screen and in the search box, but you can turn it on to use anywhere by going to Settings>Google>Search>Voice>OK Google detection.
- Google Assistant – Android now has access to Google Assistant (like Siri, Alexa, etc.) Just long-press the Home button or use “OK Google” to start asking questions (and can be linked to third party apps/services too)

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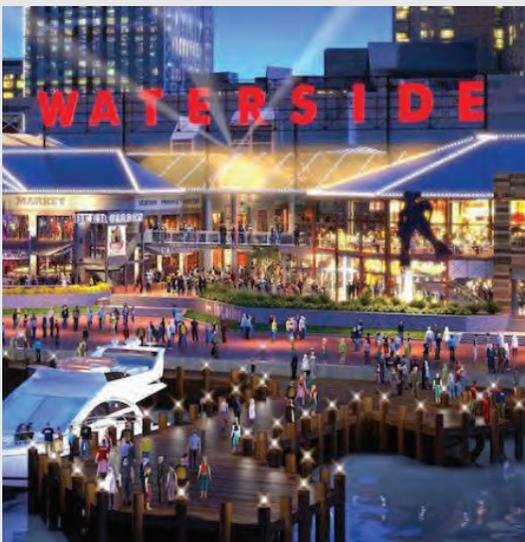
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## IN THIS ISSUE:

- SHARENting
- The Revitalization of Waterside
- Chickens in Residential Neighborhoods



## *Family Law*



When it comes to money and marriage, there is no one “proper way” to handle finances. For some couples, joint accounts contribute to transparency which can help maintain trust and accountability. However, other couples may be in very different places financially when married and want to keep separate accounts. It doesn’t have to be one way or the other, some couples have both joint and separate accounts. The important thing is to find what works for your relationship.



**Kellam's Corner:** We hope everyone has a fun and safe Memorial Day holiday. I just returned from the annual Virginia State Bar's Tech Show in Richmond to keep abreast of the ever-developing available tech solutions to better serve our clients. As to the firm, we've got a few exciting things on the horizon and we look forward to sharing these in the next few months.

On the personal front, Avery just wrapped up her first year at ODU and is excited about the continuing opportunities and challenges with the dance program. Our little demon, a/k/a Obi-Wan (our newest mini-dachshund), turned one this month and I'm glad to say seems to be settling down a bit as he transitions from a puppy.

Have any great summer plans? Get in touch with us through our social media pages and let us know what you're up to. We'd love to hear from you.

*Kellam*

## *Did you know?*



While people know Cinco de Mayo is not the celebration of Mexican's independence, most don't know that it is actually commemorates the Mexican army's victory over the French on May 5, 1862, at the Battle of Puebla.



*"Even if I knew that tomorrow the world would go to pieces, I would still plant my apple tree."*

*– Martin Luther*

## SHAREnting

SHAREnting is a term used to describe the overuse of social media by parents to share news and images based on their children. We love our social media platforms for many good reasons and perhaps the most common reason is that it allows us to stay connected with loved ones and friends, no matter where they live.

It is not our place to offer advice on "proper parenting," but rather to discuss the potential legal ramifications that many may not be aware of – namely issues of privacy and custody. It's important to realize that the indiscriminate posting of pictures of your child may leave them vulnerable to being accessed and utilized by those with ill intentions. Parents often innocently post photos of their children during bath time or at the beach. There have been stories of these photos being used for nefarious means and this can be deeply unsettling for parents who only wanted to share their joy. Even when parents set their privacy settings to restrict access of their post, friends or family members must also have their privacy settings activated. If not, your "private" photo will be published on that person's feed based on their privacy settings.

For those in the middle of a custody battle there is an additional danger. The indiscriminate sharing of your parenting moments on the same social media feed, and to the same audience, as that to which you share your adult social exploits can be used against you regardless of any contexts that you feel should be taken into consideration. For example, if a father posts about

smoking marijuana after his child goes to bed, the opposing attorney can surely use that to argue against your position. Anything you share publicly or privately on your social media feeds can be used against you in questions of custody. The main interest of the court is the child's wellbeing and safety, and they will take seriously any displays (accurate or not) of a situation that could represent an unsafe environment.

So, as a general rule of thumb, it is wise to use thoughtful discretion and remain aware of the risks associated with making your life so visible to others – both friends and strangers. We all enjoy sharing parts of our life to others, as it helps reinforce community and our shared experiences, but there should be limits on what you share and to whom, especially when you are involved in court actions.

### **Sharenting** [Share • nting]

1. The overuse of social media by parents to share content from or about their children.

*It is related to the concept of "too much information"*

#SHAREnting

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## Deb Dishes:

May means Strawberries and time to go pick them fresh in the fields of Pungo. I love a nice warm red berry straight from the plant to my mouth. My favorite fresh strawberry creation is the cold pie like Shoney's use to serve. My best friend's mom, Natalie Gilliland, made the best pie I have ever tasted. I cannot make a pie crust worth anything so I must buy mine and brown it per package directions. Be sure to wash your berries, whole, and let dry on paper towels before adding to pie shell or your pie will be runny. Place dry, washed berries in cooled pie shell with points up, which may require a little arranging. Take three Tbsp corn starch and a tish of water to make a pourable paste, set aside. Over medium-high heat, bring 1 cup water, and 1 cup sugar to a rolling boil. Add cornstarch to thicken and then add ¼ cup strawberry Jello powder and a pinch of salt. I usually make two pies at once, so I double the recipe. I set my pot in a bowl of ice water in my sink, to help cool it down quicker, stirring it occasionally until cool enough to pour over berries. Refrigerate, add whipped cream and enjoy! All our recipes can be found on [www.pzlaw.com](http://www.pzlaw.com).

## On The Local Front

### THE REVITALIZATION OF WATERSIDE

Well, the wait is finally over. Earlier this month, the new Waterside opened, and overall, people seemed to approve of this most recent version! This is the third reboot since it opened in 1983. May 4th was a "soft opening" of the updated food and entertainment complex and patrons offered some positive reviews. Some commented on the lively energy and variety of restaurants, others mentioned that they put a lot of thought into the lay out, and still one person commented on the "communal" feel, saying that you might end up talking to someone that you wouldn't normally get to otherwise.

Waterside stayed open through the weekend; however, closed unexpectedly the following week for a few days without any real explanation from officials. It then re-opened for the official grand opening on May 11th which included a free live performance from Weezer and New Politics. While bad weather did threaten the event, the band and fans still had a great time in the cold rain.

There are more than just a few reasons to stop in at Waterside if you haven't done so yet. From Guy Fieri's restaurant, to Star Hill's beer bar offering over 40 types of beer, and The Fudgery, Stripers, and more. This new Waterside District has something to offer for everyone and looks to be a great addition for Norfolk.

## Family Corner



Kellam's family's newest family dog, Obi-Wan (a/k/a "Little Man") turned one this month. Here he is destroying his new "indestructible" Kong toy (and clearly only looking mildly guilty about it), showing he's mellowed only a little since first arriving in the Parks' home!



Geri traveled to Tahiti last month to island hop on a friend's catamaran. The marine life was spectacular and swimming with the sharks was one of her favorite experiences. Bora Bora definitely lived up to it's reputation for beauty and friendliness, but Huahine and Moorea were her favorite islands.



## Wine Review

This month, I'm (Kellam) sharing my favorite white wine. I'm a huge fan of New Zealand Sauvignon Blanc. A NZ Sauvignon Blanc will be a dry, tart wine. It has favors of lime, green apple, and peach. It pairs excellently with sour cheeses (e.g. goat), white meats and fish, and green herbs. If you get a more mature bottling, the acidity will be more mellow. I've found a NZ Sauvignon Blanc to be more tart (my preference) than that of California (and there is also France, Chile, and other places).

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## INSIDE THIS ISSUE:

- SHAREnting
- The Revitalization of Waterside
- Chickens in Residential Neighborhoods

### *Allison's Adage:*

Should you be able to have chickens? The City of Virginia Beach does not think so. That seemed to be the trend in Hampton Roads for quite some time, but in 2013, Portsmouth and Chesapeake adopted ordinances allowing chickens at residential homes. In 2014, Norfolk followed suit by amending their ordinance to reduce the minimum lot size and setbacks to allow more residential homes to have chickens. In January 2017, the Suffolk City Council voted 7 to 1 to draft a proposed ordinance to allow residential homes to have chickens.

What is the issue Virginia Beach? The other cities have restrictions, such as "no more than six (6) hens," "they must be at the rear of the house," and "the coop must be a certain size." There are similar restrictions for

the proposed ordinance in Suffolk. Some of my friends have chickens in Suffolk and no longer need to buy eggs. Why can't I do that? When my fiancé first brought up the idea of having our own chickens several years ago, I was appalled at the idea. I gave the same arguments you will hear from others opposed to the idea, but if you have enough land, keep them contained, clean and healthy, why shouldn't we have that right? Virginia Beach City Councilwoman, Jessica P. Abbott, is supportive of the idea. So, if you want chickens in Virginia Beach, reach out to her through her Facebook page. There is also a Facebook group, 4 Virginia Beach Hens, which provides updates on the law and guidance on providing your support.

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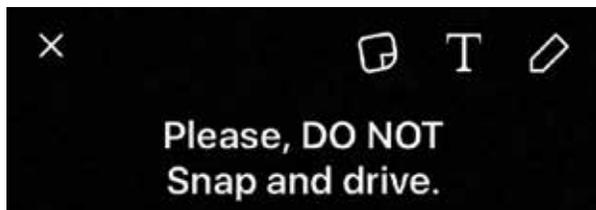
This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- New Grocery Stores Coming to The Area
- Data Safety with Autonomous Vehicles
- Please DO NOT Snap and Drive



## *Personal Injury*



Texting while driving is the highest publicized form of "distracted driving," but other mobile apps are also to blame for many accidents. Snapchat is a social media app that records quick videos and offers an array of filters users can superimpose over the video – a popular one is a speedometer reading showing the speed you are traveling. There are multiple cases of accidents involving this Snapchat filter being used while driving over 100 mph - please practice safe and sensible driving habits!



**Brandon's Soapbox:** April has arrived and that means it's time for the 11th Annual Legal Food Frenzy supporting the Foodbank of Southeastern Virginia and the Eastern Shore. Parks Zeigler had a strong showing last year among law firms our size and plans to do better this year. The Food Frenzy helps provide much-needed food and funds. In a country so rich with resources, our fellow citizens should not go to bed hungry.

This year my family and I enjoyed spring break across the pond in London. One of the highlights of our trip was The London Eye. The view was stunning even with overcast skies. We had the opportunity to visit many museums; The Imperial War Museum was certainly our favorite, although my son equally enjoyed the Egyptian section of the British Museum (he was not so much a fan of some of the art museums I forced him into). As you can tell, spring in Hampton Roads is here - sunburn one day, winter coat the next, and the attack of the pollen has begun.

*Brandon*



## *Did you know?*

Leonardo da Vinci's last words were "I have offended God and mankind because my work did not reach the quality it should have." Apparently one of the greatest artists of all time was rather modest!



*"In the spring I have counted one hundred and thirty-six different kinds of weather inside of four and twenty hours."*

*— Mark Twain*

## DATA SAFETY WITH AUTONOMOUS VEHICLES

In the 2016 November issue of *Staying In Touch*, we discussed what the future of self-driving cars could mean for insurance rates and accident claims. Will rates go up or down? Who's liable for personal injury or damage claims? The car manufacturer, third party technology components, or the driver? Even as these questions have not yet been answered, new questions continue to emerge; specifically, questions focusing on issues of privacy and threats of hacking.

Over the last few years, it seems we can barely go two weeks without hearing news about a new data breach, a new type of scam, or new ways that cyber criminals gain access to our personal information or bank accounts. There's no reason why car manufacturers, insurance agencies, and consumers should not be concerned that those tech savvy criminals will also be able to gain access to the information that autonomous vehicles would possess. Further, if this information is controlled by a third party, will it be provided to other entities without the driver's knowledge or consent?

In California, insurance representatives made their case to lawmakers that access to driver information is necessary for developing new standards of practice in dealing with autonomous vehicles. Ryan Gammalgard who represents State Farm, stated, "data access is essential to develop proper pricing and underwriting of vehicles, critical for liability determinations and from the general public's perspective, important in determining the safety and reliability of the technology." He also argued that

it might be necessary to even know where the vehicles go.

If the insurance companies can justify this position, and are granted access to that type of information, then it is important to really think about the privacy implications involved for the consumer. Jamie Williams from the Electronic Frontier Foundation expresses this concern: "From a privacy perspective, recommending constant collection of data by private entities - especially without also mandating privacy protections and data restrictions - is bad policy in any context." Also troubling is that, with the recent removal of specific regulations meant to protect personal data, these potential vulnerabilities could be heightened.

In addition to privacy concerns for the consumer, there is also the possibility that proprietary technologies employed by the car manufacturers could be hacked and stolen. As vehicles become more networked, it increases the ways that thieves can access the technology, and that could negatively impact the manufacturers' reputation and bottom line. Thus, both consumers and manufacturers need to be aware of the implications involved in legislating autonomous vehicles.

It will be years before autonomous vehicles become a reality on our road ways; however, if these crucial questions aren't answered and legal guidelines established, the grey areas will create confusion for insurance representatives and consumers, and pose potentially dangerous or uncertain circumstances.

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## Deb Dishes:

My daughter-in-law Courtney recently made French dip for the NCAA playoffs! I usually buy deli roast beef and make au jus, but this is much better. You will need 2 pounds of beef roast, 3 cups low sodium beef, ¼ cup Worcestershire sauce, 2 Tbs extra virgin olive oil, 2 large yellow onions – halved & thinly sliced, 3 cloves of garlic-minced, 1 bay leaf, and slices of provolone cheese. Salt & pepper the roast. In a large glass measuring cup, combine the beef broth & Worcestershire sauce - set aside. In a large cast iron skillet or Dutch oven, heat oil on medium high and sear meat on all sides. Place meat in crock pot. Next, cook the onion in same skillet, turned down to medium heat, cook for 5 minutes. Add garlic and cook for another minute or two. Pour in broth and scrape off the browned bits from the bottom of the pan. Pour over the meat in the crock pot, adding any remaining broth and the bay leaf. Cook on high for 3-4 hours. Remove meat to a cutting board and thinly slice or shred with a fork. Set aside the onions, discard bay leaf. Place a fine strainer over a bowl and pour juice – this is your au jus. See full recipe at <http://www.pzlaw.com/library/recipes/>.

## On The Local Front

### NEW GROCERY STORES COMING TO THE AREA

International grocers like Lidl and Aldi, as well as specialty stores like Whole Foods, The Fresh Market, Wegmans, and Trader Joe's, have been opening, or are in the process of opening, locations in Virginia Beach.

So, why are people so excited about the possibility of more stores?

The answer lies in the unique shopping experience each store offers. Aldi is a German based company focused on budget friendly prices and mainly sells its own brand. Approximately 90% of an Aldi store is comprised of Aldi branded products. The Fresh Market originated in North Carolina and is focused on supporting local growers and charities, while offering the freshest and most delicious foods possible. Lidl is another German based grocery store that also boasts low costs. However, while Lidl does offer its own brand, you will find a wider selection of brand name and imported products on their shelves. Trader Joe's is known for low prices, convenience, and unbeatable snacks. By limiting its selection, Trader Joe's buys larger quantities from suppliers. It is then able to sell more of one type of product, since there aren't too many choices, and this helps keep costs down. Wegmans is known for its fresh produce, reasonable prices, and happy employees. It offers a wide assortment of groceries and ready-to-eat food options. Whole Foods is committed to providing healthy food, the majority organic, all while improving the lives and opportunities of people in their communities.

These stores all offer their own unique experience for shoppers and it will be interesting to see how well they do in such a competitive environment. There will certainly be no shortage of options when heading out for your weekend grocery trip!

## Family Corner



While on a cruise to Cozumel, Mexico, Jackie enjoyed some one on one time with this gorgeous dolphin.



Deb traveled to Indiana to spend time with 4 (of her 6) grandchildren. The smiles certainly tell the story.



## Cigar Review

I (Brandon) enjoy a scotch and cigar every now and then on the deck. One of my favorites is the 2016 Cohiba Behinke from Havana. It has a full, warm flavor with hints of spice without being overpowering. It matches well with a heavier scotch and goes great by an outdoor fire.

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### *Kellam's Tech Tip:*

This month I am tackling the Tiles in Windows 10. I expect many people have upgraded to this version of Windows (as it was free and is an improvement over 7 and 8/8.1). One of the features of Windows 10 is that of Tiles, representing visual representations of information and programs/Apps. You can resize them, pin them to the Start menu or screen, turn off the live information feed, and arrange them into groups. These options make managing your Tiles more useful and customizable to your particular needs. You'll be organized in no time!

- Resizing Right-click on a Tile, hover over "Resize" option and select the new size you want (small, medium, large, or wide)
- Start Menu Right-click on a Tile in the Start area and select "Unpin/Pin from Start" to remove/add to the Start menu as desired.
- Live Tiles Right-click on a live Tile, hover over "More" option and select "Turn live tile on/off" as desired.
- Grouping Pick the Tile that you want to use to start a new group and move it into an empty area on the Start menu or Start screen. Move the desired Tiles you want to group together to the location of the first-moved Tile. Hover over the first time and you'll see the ability to name the new group.

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## IN THIS ISSUE:

- Airbnb
- Indo Jax Surf Charities
- Who Gets The Family Pet?



**Kellam's Corner:** Happy two-year anniversary to Brandon joining the firm and the name change to Parks Zeigler, PLLC. We continue to add people, this month bringing on a full-time marketing manager, Geri Clark. We are excited to have her join our team and assist us grow the firm. We are also currently looking for another paralegal and an associate attorney to help us service our growing clients' needs.

On the personal front, we continue to be busy. Avery is heading into the end of her first year at ODU and very much involved with the dance program there, teaching at a local dance studio, and giving private lessons. Kelly continues to keep busy with our new dog (he remains a handful) and keeping everyone straight at the homestead (a full-time job!).

*Kellam*

## *Identity Theft*



We've offered a lot of information on how to help with tax identity theft, but what do you do if you have reason to believe your information has been breached? First, you should file a police report just so it is on record. Then file IRS form 14039 which is an Identity Theft Affidavit. The form offers a PIN number that would be used on the following years tax return, adding another layer of protection. To learn more, you can visit the IRS website.

## *Did you know?*



The spring equinox will fall on March 20th this year. The fall and spring equinoxes are the only two times during the year when the sun rises due East and sets due West.



*"Spring is the time of plans and projects."*

*- Leo Tolstoy*

## **AIRBNB - HOTELS WANT A LEVEL PLAYING FIELD**

Virginia Beach and the Hampton Roads region has a lot to offer both tourists and business travelers. This is evidenced by the large number of hotels in the area, the re-building of the Cavalier Hotel, and the green light for an additional hotel to be built nearby, as well as the building of a new conference center in downtown Norfolk. With the high volume of travelers coming through Hampton Roads, it should come as no surprise that there is a large Airbnb presence to match the demand and "big hotel" is not too thrilled.



Airbnb is a service that allows travelers to find places to stay from area residents. Residents offer their vacant rooms or empty mother-in-law suites through a mobile app.

Travelers can request specific arrangements such as a bedroom for one for a week or a full house for three days. Those offering up rooms enjoy the additional income, but do not face the restrictions put on the hotel community. The range of options readily available to the traveler, along with the added flexibility and reduced cost that comes from dealing with a person rather than a hotel chain, makes Airbnb very appealing to travelers.

Much like how Uber has disrupted the taxi service industry, Airbnb is disrupting the hospitality industry. The hotel industry is making efforts to curb the competition, or, as they claim, create a level playing field. The industry has a valid point and questions the legality of Airbnb. States and cities all have spe-

cific requirements pertaining to lodging that hotels must meet and maintain, but those offering rooms for rent through Airbnb have avoided these requirements thus far, despite providing the same service.

This year Senate Bill 1578 was introduced to the General Assembly by Virginia Senator Thomas K. Norment. The bill, which has seen little resistance so far, has support from both local organizations and Virginia's established hospitality industry. It would give local cities the option to enforce an ordinance that requires those who want to offer short term rentals through Airbnb to register, or face fees of up to \$500.

The central issue in question deals with fairness and competition. The hotel industry maintains that it is unfair that Airbnb renters do not have to comply with regulations despite offering the same service. Eric Terry, president of the Virginia Restaurant, Lodging, and Travel Association, says that they welcome Airbnb into the area, but still desire a level playing field. However, there is some legitimate concern that this bill would cripple the Airbnb market, putting the average citizen looking to supplement their income at an unfair disadvantage. As is the case with services such as Uber, new offers may transform the marketplace in ways that outpace legislation.

As of March 16th, the bill has passed both Senate and House in the Virginia General Assembly. Now it's on to the Governor to be signed or vetoed.

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## Deb Dishes:

I love Virginia weather. I can get my summer roasted corn on the grill fix one day and three days later be making a pot of winter warming soup! I decided to find a recipe to combine these seasonal cravings and found Island Pork. The ingredients may seem like a strange blend, but combined they are delicious. You mix 2 tsp salt, ½ tsp pepper, 1 tsp cumin, 1 tsp chili powder, 1 tsp cinnamon and then rub all over 2 (about 2-2.5lbs) pork tenderloins. Heat 2 TBSP olive oil in skillet and sear all sides of the pork over medium heat, about 4-5 minutes. Remove skillet from heat. Mix ¾ c packed brown sugar, 2 tsp chopped garlic, 1 tsp Tabasco and pat the mixture over the pork. Place skillet in 350° oven and bake 15-20 minutes. Let stand in skillet about 10 minutes before slicing. Love the flavor explosion this dish brings to a meal! I served it with very lumpy mashed potatoes that I only seasoned with butter, salt and pepper; fresh snap beans cooked al dente and cold applesauce. This is a meal I will certainly be serving company soon..... so who wants to come to dinner at my house? All our recipes can be found on our website: <http://www.pzlaw.com/library/recipes/>.

## Giving Back To The Community

### THE INDO JAX SURF CHARITIES

PARKS ZEIGLER IS PROUD TO SUPPORT AND HIGHLIGHT THIS ORGANIZATION:

For 8 years now, Indo Jax Surf Charities has been traveling to Kochi India to work with orphan girls. These are the poorest of the poor. Many of the girls we work with have been abused, neglected and mistreated. They are deemed worthless by the culture they live in. We bring our world renowned surf program to these desperately needy young children. Working with Homes of Hope orphanages, we house, feed, and transport 80+ orphan girls annually for a 10 day surf safari. We get them into an amazing adventure where they can experience a childhood and receive much needed emotional healing. While the trip is an expensive endeavor, the outcomes for these orphan girls are priceless. All funds raised for this trip go directly to helping these girls. We help them build self esteem and self worth. We teach them valuable life skills they can take with them the rest of their lives. Using surfing, we see a dramatic and measurable change in their self confidence and outlook on their own lives. As they go through our surf program they learn that if... ***"I can surf, I can do anything!"***



To Support this Organization, visit  
<https://www.crowdrise.com/india-surf-safari-2017-for-orphan-girls>



## Wine Review

My (Kellam) favorite red wine is Red Zinfandel, which is a darker red wine - not the pink stuff (known as "White Zinfandel"). Red Zin has the flavors of black pepper, cherry, and jam. I describe it as spicy and explosive at the front and a smoother finish than a larger red wine, such as a Cabernet Sauvignon. It has medium tannins with high acidity and that, along with the typically high alcohol content, makes it a fairly bold wine. It pairs excellently with meats and tomato based pasta dishes.

## Family Corner



Brandon and his family enjoyed spring break across the pond. This spectacular view is of London's financial district from the London Eye.



Zach and his family took advantage of the unseasonably warm weather this month and spent the day at the Virginia Zoo.

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## INSIDE THIS ISSUE:

- Airbnb
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- Who Gets The Family Pet?

### *Allison's Adage:*

Who gets the family pet? Believe it or not, this is a common question in divorce cases. Should pets be treated as property and divvied up like the furniture and china? Or, should they be treated like children wherein the court determines what is in the pet's best interest? Currently, Virginia treats cats and dogs like property. See Va. Code § 3.1-796.127. However, there has been a trend in other states towards treating family pets like children. In Alaska, a law went into effect earlier this year which requires the courts to consider the well-being of the pet in the event of a divorce and allows judges to assign joint custody of the family pet. Likewise, this past February, a Rhode Island state representative introduced a bill that would require judges to consider the "best interest of the animal" in a divorce proceeding. Also, in 2013, New York County Supreme Court Justice Matthew Cooper noted, "[i]f judicial resources

can be devoted to such matters as which party gets to use the Escalade as opposed to the Ferrari, or who gets to stay in the Hamptons house instead of the Aspen chalet, there is certainly room to give real consideration to a case involving a treasured pet."

While Virginia currently treats family pets like property, that does not mean the parties have to do so. I highly recommend trying to reach an agreement when it comes to the family pet. Just like in child custody cases, you do not want to leave the decision of who gets the pet to a judge.



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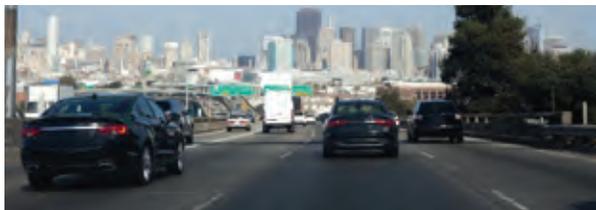
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## IN THIS ISSUE:

- Tax Filing Warnings
- Matcha
- Divorce by App



## *Safe Driving*



A new bill was introduced to the Virginia House of Delegates that would make driving too slow in the fast lane a violation punishable by a \$250 dollar fine. The bill was proposed by Del. O'Quinn, who represents the 5th district. He was compelled to address the "particularly pervasive and ever-growing problem of cars going grossly under the speed limit in the left lane." So far there's no details on what would be considered "too slow."



**Brandon's Soapbox:** February finds the firm busy and looking forward to a year of positive change and growth. Parks Zeigler has an amazing team who work to support the firm's vision of always progressing forward, with technology, education and client service. We're especially happy to announce that Allison W. Anders has been admitted to the American Association of Matrimonial Lawyers. She is one of only nine in Hampton Roads and 55 in the entire state of Virginia with this prestigious designation. This is a great accomplishment and we are all very proud of her, she definitely deserves it.

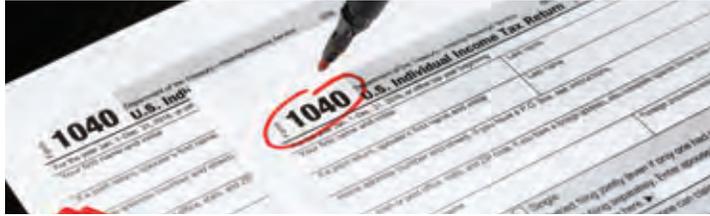
Patriot fan or not (and I am definitely not), you have to agree this year's Super Bowl was one of the more interesting games in league history. Super Bowl time is always a great reason to gather family and friends to enjoy party foods and spirits. Now time to prepare for the upcoming March Madness!

*Brandon*



## *Did you know?*

The first black astronaut was Robert Henry Lawrence Jr, who held a Ph.D. in chemistry and was a senior USAF pilot. Several months into astronaut training he died as a passenger on a F-104 Starfighter plane crash, sadly, before he was able to go to space.



*"Just don't give up what you're trying to do. Where there is love and inspiration, I don't think you can go wrong."*

*— Ella Fitzgerald*

## TAX FILING ALERT

It may seem like February is a bit early to talk about filing for taxes, but some recent developments may delay your refund. If you're depending on a projected refund to help you financially, it is important to know if yours will be delayed.

In 2015, Congress passed the "Protecting Americans from Tax Hike" Act (PATH) and there is a section in that law that prohibits the IRS from sending out tax refunds before February 15, 2017 if the citizen filed for the earned income tax credit (EITC) or the additional child tax credit (ACTC). The reason behind this section of the legislation is ultimately to defend against tax scams. Both credits (EITC & ACTC) are nonrefundable tax credits and can be claimed even if you did not pay into the system or have no tax obligation. For those reasons, they are often targeted by identity thieves. While the delay can be frustrating, it is meant to protect you against identity theft and tax fraud.

Tax scams have been a topic of interest lately because of an increase in foul play that has targeted the IRS and tax payers. We have written on this topic in the past and offered tips on how to protect yourself – such as avoid giving information over the phone (the IRS will **not** call you demanding payment), not offering any personal information via email (the IRS will **not** email you with such requests), and filing early.

If you plan to hire someone to prepare your taxes, there are a number of things that you should pay attention to when mak-

ing your decision. We've listed just a few below:

- Request his or her Preparer Tax Identification Number (PTIN). They are required to register with the IRS and include their PTIN on your forms.
- Use the IRS Directory of Federal Tax Return Preparers with Credentials and Select Qualifications to check their credentials. The directory is searchable by region and includes attorneys, CPAs, enrolled agents, enrolled retirement plan agents, enrolled actuaries, and annual filing season participants.
- Inquire about service fees. Preparers are not allowed to base their rates on a percentage of your return. Also, avoid those who try to "sell" you based on getting you a higher refund than competitors.
- Ask the Better Business Bureau about the preparers history. Look for any disciplinary actions and the license status.

These are just some of the things you should remember to do before hiring someone to prepare your taxes. If you visit the IRS's website, you can find a thorough list that provides more information on those items listed above, as well as more detailed steps to take in making sure you are well informed before you make your decision. Please visit the IRS website and visit our website to learn more about tax time risks and how to protect yourself from those risks.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

What's trending for our palates in 2017? Mini-sized desserts, the stuffing of croissants with anything that floats your boat, bubble waffle cones, tamales, smoked carrot lox, cereal as a topping on everything, and seaweed. Yep, kale is out and seaweed is in this year. Not at my house, but I suspect you will see it along the boardwalk restaurants this summer! Matcha. Not just the Japanese green tea for drinking but matcha favored anything. Next time you pop open a can of beans, don't pour that liquid (called Aquafaba) down the drain, save it to make merengue, ice cream, or macarons. What's old is new again with southern fried chicken from non-chain providers, and brisket with a multitude of BBQ sauces. Kellam is on the bandwagon for Poke, a sushi salad bowl. I do enjoy the newer ramen and pho bowls – warm broth with veggies and noodles, customized with your preferred meats and veggies. And I like to hear people are spiralizing all kinds of vegetables, calling them "zoodles." I have not found one yet that I like with red sauce, but I'll keep on searching for an alternative to carb-heavy pastas. I want to try Sancocho and Apreas..... I had to read about these previously unheard of Latin American dishes myself. Anyone want to join me for lunch?

## On The Local Front

### PUBLIC TRANSIT WOES

Norfolk's Light Rail and the debate on whether or not to extend it into Virginia Beach has been a hot topic for local residents from both cities. Last year Virginia Beach residents voted down a referendum that would have approved extending the light rail along a specific route from Norfolk into Virginia Beach. However, that decision is now causing a fiscal headache for Virginia Beach city officials.

In 2010, the State of Virginia and the Federal Government loaned Virginia Beach \$20 million and \$5 million respectively based on the plan to extend the light rail. However, now that residents have rejected the project by a substantial majority, that loan is now being called due. A few weeks ago city officials struck a tentative agreement that would have allowed the city to keep the funds provided they put it towards a large scale public transportation project, but that deal fell through at the end of January.

So, now the question is how to repay the loan? City officials speculate that the loan will be paid back in installments over the next several years. Interestingly, while the Light Rail was voted down, residents are still expressing the need for an improvement in public transit for Virginia Beach. At the end of the day, it seems that Virginia Beach has a new financial burden, and a continued need to improve public transit.

## Family Corner



Superman is on vacation in Virginia Beach! Allison's son Connor enjoys a family day at the oceanfront during recent record breaking temperatures.



Ambir shopping with sister Alisha, mother Karen, and sister Kelli in Mystic, CT..... after having lunch at Mystic Pizza.



## Family Law

A new UK mobile app allows couples to get a divorce without hiring attorneys. "Amicable," was developed by a family counselor and an IT consultant, who claim that "the world needed a solution that put families first and helped parents remain on good terms." However, for the app to work, "you and your soon-to-be ex must be on the same page, both committed to divorcing responsibly and reasonably." That's a substantial caveat. Let's just say that the jury's still out on this one.

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Visit our website @ [www.pzlaw.com](http://www.pzlaw.com)

## INSIDE THIS ISSUE:

- Tax Filing Warnings
- Matcha
- Divorce by App

## *Kellam's Tech Tip:*

This month I am circling back to Facebook – your account should be safe and secure from tips I provided last year. This time I'm going to give power tips for most effective use.

- Hidden Facebook Inbox – You may have a folder of unread messages you didn't even know you had. Click the "messages" icon at the top of your homescreen (or the "Messages" link to the left field). The default is you in the "Recent" tab, but directly to the right, you'll see a "Message Request" tab. If you click that, you may see a link that says "See filtered requests." If so, click it to see if you've been missing messages from people you may know.
- Archive of Facebook – You can get a copy of everything you've ever shared on Facebook to save if you so desire. Go to Settings>General>"Download a copy of your Facebook data" (on the bottom). Follow the

instructions and you'll have the whole enchilada in no time.

- Customize Your News Feed – (1) Click the three dots next to "News Feed" at the top left rail and choose "Edit Preferences" from the pop-up screen, then "Prioritize who to see first" and choose the people, Pages, and brands you want to see more or less of in the feed. You can also directly choose to stop reading posts from people without unfriending them by clicking the little arrow in the top-right corner of a post and selecting "Unfollow [Friend's Name]"
- Customize Ads – You can customize the ads you see too. Go to Settings>Ads>"Your Interests." You'll see topics Facebook has determined for you by category – you can delete an interest (or even add more, but who wants to do that, really...)

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

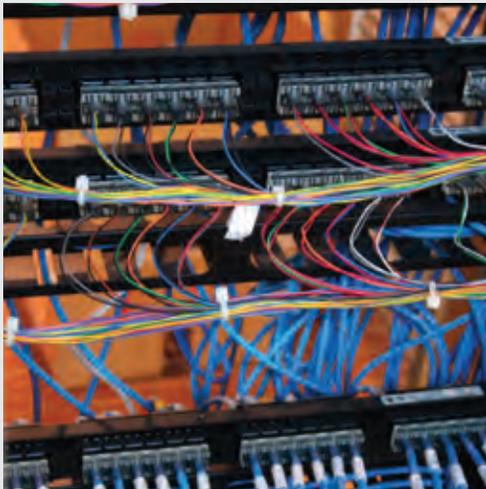
# STAYING *in Touch*

January 2017 Newsletter | VOLUME 6 - ISSUE 1 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Technology in the firm
- Growth in Norfolk
- New electronics
- Zach's in a band!



## *Family Law*



The terms abandonment and desertion are often misunderstood, but there is a difference, legally speaking. Desertion is a breach of matrimonial duty in which there must be a break from cohabitation, and there must be intent to desert in the mind of the deserter. Abandonment, however, is proven when there is evidence to show that "a person has left his or her spouse, or his or her child(ren) in a destitute or necessitous circumstances" (VA §20-81).



**Kellam's Corner:** Welcome to 2017! I hope that everyone survived "Snowmageddon 2017." Quite the snowfall earlier this month, shut the city down for days. Back on track now and things are developing at Parks Zeigler, PLLC, as we are actively looking to add another attorney to the firm, as well as a full-time marketing manager to assist us with our continued growth. We continue to assist our clients with their family law, credit errors/identity theft, personal injury, and small business/civil litigation needs.

We wish you the very best for 2017 and look forward to hearing from you this year.

*Kellam*



## *Did you know?*

Did you know that in 1942 and 1943 there was no New Year's Eve ball dropping ceremony in NYC due to a wartime dimout? However, that didn't stop crowds from gathering in Times Square, where they observed a moment of silence before celebrating.



*"Freedom is not worth having if it does not include the freedom to make mistakes."*

*— Mahatma Gandhi*

## TECHNOLOGY IN OUR LAW FIRM

As you are aware, we are a paperless office. That being said, we do acknowledge that there are times when we still must print documents for our clients, opposing counsel, and for court proceedings. We enjoy not having multiple file cabinets full of documents gathering dust mites and the paper cuts that come with managing all that paper. We currently scan all incoming documents which are kept secure on both our servers, as well as on the Cloud. When we need to send and/or share documents, they are shared electronically as much as possible. From a business prospective, this is not only more timely in responsiveness and delivery, but also provides great cost savings in supplies and postage.

It is good to see the transition within the courts as well. It may be slow to evolve, but technology is in the courtroom now and will only be advancing in the years to come. Instead of walking into court with boxes of files stuffed with paper notes and exhibits for trial, documents can easily be shown on a screen with a simple click and swipe on a computer or tablet. Our

attorneys bring the case file, in its entirety, to trial knowing that they can access anything when needed from their devices. With our scanned files being word-searchable, it also allows us quick access to thousands of documents to maximize trial efficiency.

One concern for both attorneys and clients alike is the security of file information. Attorney's ethical duties are to ensure reasonable safeguards be in place to while utilizing technology. Because we use an appropriate housing vendor that has proper server security and geosynced locations for our data, our files are much safer than paper files sitting in our office where a break-in, cleaning staff, or a fire can theoretically compromise everything in an instant. Kellam is Co-Chair of the Virginia State Bar Special Committee on the Technology and Practice of Law, regularly traveling the Commonwealth teaching lawyers about technology and the ethical obligations (and how to meet them) regarding same.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Its coastal Virginia so I really can't say "brrr, its winter," but we have had several soup worthy days this January and I've enjoyed the usual chili and stews. An easy soup we make, especially when we don't feel well, is from my sister-in-law Kathy. The quick version is to take two 32 oz. cartons of chicken stock or broth, add one can of Campbell's tomato soup, add shredded left over chicken to pot and heat. Sometimes we don't even add the chicken. We cook "Pastina" (small pasta), drain and store in separate container to prevent pasta from absorbing the broth. Put as much Pastina as you like in a bowl, add the hot soup mixture and sprinkle parmesan cheese liberally over the top. We like to serve it with homemade cornbread or hot rolls (recipes on [www.pzlaw.com](http://www.pzlaw.com)). I asked around the office and favorites are: Allison - Tomato Basil, Brandon - Corn-Crab Chowder, and Kellam - She Crab soup. Sara has been making the rounds to several restaurants and making notes on local eateries to find the best She-Crab soup, to be posted for you soon. What's your favorite soup recipe? Where do you go for She-Crab soup? Let me know! Email me at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com).

## On The Local Front

### THE NEW NORFOLK

2017 looks to be a big year in terms of commerce and job growth for Norfolk. Over the past few years there has been a lot of planning and negotiations, and the fruits of that labor will soon be evident. Doug Smith, the interim city manager of Norfolk, claims that this year will be a "reintroduction of Norfolk to the region and to the Commonwealth." The most anticipated of these projects is the new Waterside District in downtown Norfolk and it is expected to bring 1,000 permanent jobs. So far, the shops and restaurants that will be included are Cogan's Pizza, Star Hill Brewery, Carolina Cupcakery, Blue Moon TapHouse, Guy Fieri's Smokehouse, The Fudgery, and Rappahannock Oyster Co.

The border of Norfolk and Virginia Beach is the site of the Norfolk Premium Outlets. Ground was broken last year to begin building this 85 shop outlet mall developed by Simon Property Group, the same company behind the outlets in Williamsburg and Potomac Mills. The Norfolk Premium Outlets, slated to open in June, are predicted to create 800 permanent jobs and produce over \$3 million in tax revenue.

In addition, Norfolk will add The Icon, a luxury apartment complex located in the old 24 story Bank of America building predicted to open this fall, and The Main, a Hilton Hotel opening for events in April.

## Family Corner



Zach, our social media content editor is in a band! They are called Mae and the photo shown here is from their recent show in Indonesia. They'll be playing March 11th at The Norva. Learn more on Facebook. (<https://www.facebook.com/mae/>)



Deb was overjoyed to have all her children home for Christmas this year! Pictured here with the grands celebrating Christmas Eve at Kellam's home. The Storm Trooper was a gift for Kellam from their dad.



## Finer Things in Review

Once upon a time Kellam was in the restaurant industry, having been a waiter at The Trellis in Williamsburg while in law school and then later being the first crew to open One Fish Two Fish in Virginia Beach. He learned an incredible amount about wine and spirits and has retained some portion of that, even though he is no longer in the thick of things. He'll share his favorites in the months to come – first share will be diving into his favorite red wine –Red Zinfandel (not to be confused with "White Zinfandel," which is the sweet pink stuff).

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## INSIDE THIS ISSUE:

- Technology in the firm
- Growth in Norfolk
- New electronics
- Zach's in a band!

## Tech Tip:

This month is our annual roundup of cool new tech/gadgets coming out of the Consumer Electronics Show (CES), which happens every January.

- LG's OLED W7 TV – LG's new OLED TV is only 2.57mm thick and has four types of HDR support (for future-proofing) and also includes its own Dolby Atmos soundbar.
- LG's InstaView Fridge – The front panel on the door is opaque...until you knock twice on it and then it becomes clear so that you can instantly see what is inside the fridge without having to open it. So cool!
- Griffin Technology Toaster – For those that are toast fanatics, this toaster is Bluetooth connected and its App allows you to control temperature and degree of toastiness, including the ability to save prefer-

ences by user. For the true sandwich connoisseur.

- Zera Food Recycler – WLabs of Whirlpool has created an attractive fertilizer-making device that sits in your kitchen to handle food waste to turn into usable fertilizer. Great sustainable gadget.
- Link Ark Smart Collar – A great innovation for dog lovers. The fashionable collar connects to an App so that you can track your dog, monitor activity/wellness, record your companion's playtime for later viewing so that you don't miss anything, and sound/light remote options for training and safety.

These are just a handful of really cool new tech displayed this year. Lots more to check out, just search "CES 2017" for more.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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December 2016 Newsletter | VOLUME 5 - ISSUE 12 | [www.pzlaw.com](http://www.pzlaw.com)

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## Errors on your credit report?



## JOIN ME January 28<sup>TH</sup>!

Presenting "Fraud Prevention/Credit Report Errors"  
by Kellam T. Parks

*Free educational seminar and materials*

**January 28<sup>th</sup>, 2017, 10:30am**

RSVP to reserve your spot:

[JLeitzel@pzlaw.com](mailto:JLeitzel@pzlaw.com) or 757-426-4526

Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**



**Brandon's Soapbox:** As we near the end of 2016 it feels that the year flew by. With the help and trust of our clients we at Parks Zeigler had a very good year by all measure. And for that we thank you. Starting in October and finishing, while watching college football, on January 1 is a blur of food, family and fun. The holiday season flies by and it is always a pleasant reminder of how much there is to be thankful for.

My mother and I jointly presented a successful Thanksgiving meal, shared with family and friends, and am looking forward to celebrating Hanukkah and Christmas. The entire team at Parks Zeigler was engaged in many community outreach events. Each time we participate we get more out of it than we contributed. We've built wonderful relationships with new clients and strengthened our relationships with those of you who we've known for some time. Thank you so much for joining the PZ family circle. Have a safe and Happy Holidays.

*Brandon*

## *Personal Injury*



According to a New York Times' article, highway fatalities had been on the decline over the last four decades, but now last year's statistics show the highest increase in 50 years. Cell phone apps are the cited reason. In October, the Department of Transportation outlined a plan to work with the National Safety Council to devise a "Road to Zero" strategy to work at eliminating traffic fatalities in 30 years. As our loved ones take to the road this holiday season, please remind them to stay off their phones while driving!



## *Did you know?*

Cyber Monday came about in 2005 because many consumers only had access to reliable fast internet at work, and many would begin shopping that Monday upon returning after the Thanksgiving weekend.



*"Blessed is the season which engages the whole world in a conspiracy of love."*

*— Hamilton Wright Mabie*

## CREDIT DURING THE HOLIDAYS

As we are all aware, this time of the year is prime shopping season. Black Friday, the unofficial start of the holiday shopping season, shop Local Saturday, and Cyber Monday began the frenzy to get the best deals for presents and home improvements. This year online sales are expected to reach 91.6 million dollars, up 11% from last year.

As millions of Americans begin looking for the perfect gift, the increased use of credit and debit cards increases the potential for identity theft and credit fraud.

Consumers have become relatively comfortable with shopping online; however, concerns over their security seems to be growing. New data gathered from PayPal shows that 25% of shoppers were concerned about personal data security and 26-30% were concerned about identity theft or fraud; their concern is not unfounded. According to LexisNexis, e-commerce fraud is on the rise as both the number and average monthly value of fraudulent transactions rose by 6-9%. These numbers reveal that cybersecurity is becoming an issue warranting better notice by retail owners.

As a consumer, what can you do with this information? We've been blogging about identity theft and cybersecurity for some time now and have offered some tips to help protect your personal information. For instance, try to use credit cards instead of debit cards (thereby limiting access to your bank account), avoid making purchases over public Wi-Fi, and don't store your information on various websites online. You can also do a little bit of research to find out which online retailers are more se-

cure. Be sure the site you are on has https: and/or shows you a lock symbol. The password management company LastPass ranked the most secure and least secure email retailers (and is what we recommend our clients use). Among the most secure sites include QVC and Apple, and perhaps surprisingly, the least secure online retailers include Amazon and Walmart. Both Amazon and Walmart are among the most trafficked e-commerce sites.

Unfortunately, the adage now becoming all too accurate regarding credit fraud or identity theft is that "it's not a matter of if it'll happen, but when it'll happen," and even when you are careful when shopping online, your information may still be stolen. Given this, we strongly recommend that you keep an extra close eye on your banking and credit card statements during the holiday season to make sure there hasn't been any fraudulent purchases made with your information.

Once thieves have some of your information, it does not take them long to access more and set in motion a great mess of fraud for you to deal with. The sooner foul play is identified, the less the damage will be, and the sooner you can fix the problem.

If you find you have been a victim of fraud or identity theft, please feel free to contact our office. We can assist you in disputing the fraud with the credit reporting agencies and getting your life back on track.



## Deb Dishes:

Holiday baking is in full swing at my house! I was on a tangent looking for old school flavors, as well as tweak some of my standbys. I can still taste the real pralines from my trip to New Orleans at age 15 – now I have a recipe that makes me smile. Remember vacations with butter pecan fudge, yum. And the Chex cereal concoction we call Muddie Buddies, you can make a variety of flavors, like Cherry Vanilla. You need 8 cups Chex rice cereal, 1- 0.3 oz Cherry Jell-O mix, 2 cups powdered sugar, 16oz of vanilla white chips or candy coating and sprinkles in your choice of colors. Measure out cereal in large open bowl. Take a gallon size storage bag and dump 1 cup of powdered sugar in that and set up so that bag forms a bottom. Melt chips carefully in the microwave about 1 minute, stir, repeat for 20 seconds until creamy. Mix in cherry Jell-O. Pour mixture over cereal. Add sprinkles. Stir once again. Put 1/2 in the bag and shake it up to coat the pieces. Pour onto wax paper. Repeat with remaining mixture. You must work fairly quickly, as once coating begins to set up it will clump together. Allow to dry, then store in covered containers for up to 2 weeks. You can find these recipes on our website at <http://www.pzlaw.com/library/recipes/>.

## On The Local Front

### TOLL HIKE COMING

Commuters that rely on the downtown and midtown tunnels between Portsmouth and Norfolk are going to see an increase in tolls effective January 1st. Drivers that have an EZ-Pass will pay \$1.65 during off peak hours (up from \$1.25) and \$1.95 during peak hours (up from \$1.50). Registered "Pay-by-Plate" will be \$3.60 during peak hours (\$3.30 off peak hours), and unregistered commuters will pay \$5.25 during peak hours (\$4.95 off peak hours).

Virginian Pilot reports that this increase will mark the highest increase thus far. When the tolls were enacted in 2014, they were only .75. They increased by .25 in 2015, and again by the same amount in 2016. The reason for this year's larger increase is that the state's "buy down" period ends this year. VDOT's agreement with the private ERC (Elizabeth River Crossing) was the topic of much discussion when it was being negotiated, and the final terms left many local residents with a bad taste in their mouths. We shouldn't expect the tolls to stop increasing. The Pilot reports that "off-peak tolls can continue to increase 3.5 percent each year for the next 50-plus years. Peak tolls will rise 4 cents a year for the next 10 years in addition to a 3.5 percent increase."

If you haven't registered for Pay-by-Plate, and don't have an EZ-Pass, now would be the time to do so. You can go to their website to learn more on your options: <https://www.driveert.com/>.

## Family Corner



Lia's family took a hike on the Blue Ridge parkway recently. Here's her son Grant and her boyfriend's daughter Emma at milepost 8.8 at Greenstone Overlook enjoying some rock climbing, kid style.



Deb, her grandson Bryant, and Jackie hit the early morning cold and participated in the 5K Reindeer Run at Mt. Trashmore. Bryant ran it and had his best time yet!

## We welcome your referrals!

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## Finer Things in Review

Brandon enjoys a good bourbon then and again (especially with a fire and a cigar) and has had the pleasure of enjoying the taste of Jefferson's Ocean recently. The bourbon was seasoned on the deck of an ocean going research vessel. I am not certain if it is only marketing or really a touch of the ocean but the sea flavor does come through as a nice accent. It is a very enjoyable drink that pairs well with a medium body cigar.

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## INSIDE THIS ISSUE:

- Credit during the holidays
- Toll hikes coming
- Apple's Mobile OS

## Tech Tip:

This month I'm tackling iOS 10, the newest iteration of Apple's Mobile Operating System. Some tips to get the most from your device:

- Deleting Unused Apple Apps – Apple finally allows us to delete their “pre-loaded” apps – you can delete them like any other app (hold the icon until it “wiggles” and then click the “X” in the upper corner). Before now, you had to store them in a garbage folder wasting space.
- Clearing All Notifications – You can now delete all notifications at once, instead of app by app. If you have the 3D Touch capability (iPhone 6s or newer), just tap and hold the X at the top, then select “Clear All Notifications.” If you have an older device, you have to delete them day-by-day, but at least better than app-by-app.
- Instant Camera Access – On the lock screen, swipe left for the cam-

era. Makes getting those quick pictures even easier.

- Text to Emoji – For those Emoji lovers out there (you know who you are), now you can get to them even easier. The Messages app will highlight the words you could swap out for an emoji – it'll glow orange/red. Just tap to pick which one you want (as there may be more for a single word, such as “smiley”).
- Instant Unsubscribe from Mailing Lists – In the Apple Mail app, if you get a message from a list, instead of scrolling to bottom to find the unsubscribe option, the app will provide a pop-up that offers to unsubscribe you automatically.

I hope that these few tips help you. There are many other additions/changes out there, just do an internet search if interested.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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## IN THIS ISSUE:

- Dating & Divorce
- Sweet Potato Casserole
- Pine Knot Retreat
- Shopping Online



## *Personal Injury*



In 2014, there were over 3,000 fatalities and over 400,000 injuries resulting from distracted driving in the US alone. Knowing these statistics, it might come as a surprise that in Virginia, texting while driving is still only a "secondary" offense, which means that you can only be ticketed for it if the officer pulls you over for another violation. Distracted driving is an unnecessary risk, please teach and practice safe driving habits to help avoid accidents. #w8-2text



**Kellam's Corner:** We wish everyone a safe and wonderful Thanksgiving. We're thankful for the success of the firm, which comes directly from the trust and support of all of you – so thank you from all of us here at Parks Zeigler, PLLC!

On the firm front, we're extremely proud to announce that Allison has been accepted into the American Academy of Matrimonial Lawyers (the "AAML"), which is a national group promoting professionalism and excellence in the practice of family law. It is a selective group, requiring years of experience and continuing education, nominations by lawyers and judges, and a written exam. There are less than 60 members in all of Virginia – quite an honor and accomplishment and further broadens our ability to assist our clients that have family law needs.

*Kellam*



## *Did you know?*

Did you know that the Pagoda, that sits on the Elizabeth River in the Freemason district of Norfolk, used to be a 500,000 gallon molasses storage tank? It didn't become the Pagoda until 1989.



*"I would rather sit on a pumpkin, and have it all to myself, than be crowded on a velvet cushion."*

*— Henry David Thoreau*

## DATING & DIVORCE

Divorce can be mentally, emotionally, and financially exhausting, and it's common for couples to seek advice from their personal networks during this trying event. Though friends and family can offer support, it is important to also include a knowledgeable and objective party to assist in decision making – that's where an experienced attorney is needed. Even if it's a onetime consultation to understand Virginia law, the process, and your rights. From the attorney's standpoint, we are here to listen to what the client desires for an outcome, explain Virginia law, and work to obtain realistic goals set forth together. As such, any advice given is strictly in relation to the legal proceedings involved in the divorce.

One issue that often comes up is the question of dating other people while going through a divorce. Depending on your situation, dating may cause further tension, especially if children are involved. Possible legal implications aside, if one partner finds out their spouse is already seeing someone new, they can become emotionally agitated and extremely difficult when it comes to agreeing on the terms of a settlement. This can slow down the process

and affect how the court handles the division of property and issues of spousal support. Prolonging settlement will increase the costs of the process.

Dating during divorce proceedings can also cause undue stress on a couple's children. A new dating partner, even if he or she is understanding and agreeable, will distract from time otherwise spent with the children. As difficult as the divorce is for the couple, it is equally, if not more so, emotionally stressful and confusing for the children. Divorce brings substantial and influential change to a child's life, and a new dating relationship during divorce proceedings can further complicate this adjustment.

We are obliged to inform our clients of any potential implications or impacts that can result from their decisions, even those that are not directly related to the case at hand. While we do not morally judge what clients wish to do, if certain decisions can affect the desired outcome for the client, then sharing these concerns becomes necessary for us to serve our clients and ensure the best possible final outcome.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

The very first Thanksgiving occurred in Virginia in 1619 at Berkley Plantation. If you search Google you can find many Thanksgiving dinners being served at historical locations around our Commonwealth. Sounds like a fun event, but my family would not stand for missing a table full of their favorite home cooked foods! Check out our website to find Paul's cornbread, Kelly's bacon green beans, Granny's mac-n-cheese, Courtney's yeast rolls, Cara's favorite chipotle gravy and many other recipes. Now for Holly's Sweet Potato Casserole that even I love! Take 4 c sweet potatoes, peeled & cubed, 1/2 c sugar, 2 beaten eggs, 1/2 tsp salt, 4 TBS butter, 1/2 c milk, 1/2 tsp vanilla. Cook sweet potatoes (covered in water) over medium high heat until tender, drain & mash. Mix all other ingredients with potatoes. Pour into 9x13 baking dish. Topping is 1/2 c packed brown sugar, 1/3 c flour, 3 TBS butter, 1/2 c chopped pecans. Mix sugar & flour, cut in butter until mixture is coarse. Stir in pecans, sprinkle mixture over sweet potatoes. Bake at 325° for 30 mins or until topping is lightly brown. I know, it's more like dessert than a vegetable. Send me your favorite Holiday recipes you love; you know how I love to try new things! [dmontagna@pplaw.com](mailto:dmontagna@pplaw.com).

## On The Local Front

### PINE KNOT RETREAT

The Commonwealth of Virginia is rich in history. From First Landing State Park in Virginia Beach, to Monticello, or Colonial Williamsburg. One doesn't need to travel far to come upon a great opportunity to learn about Virginian and American history. While Virginia may be more known for its Colonial or Civil War history, there are many other landmarks from more recent eras. If you make your way to Keene, Virginia, for example, you can visit a quaint gem from the very early 20th century.

Hidden away on a 15-acre plot of land rests Pine Knot, a small two story cabin that served as a much needed retreat for Teddy Roosevelt and his family. The cabin was rather rustic, as it didn't have any plumbing, electricity, or even finished walls. Although what it lacked in amenities, it made up for in seclusion, a valued asset for the President of the United States at the turn of the century. Indeed, his wife Edith referred to it as a place of "rest and repair." The cabin still holds the small wooden dining table used by Teddy and Edith.

If you're looking for a nice trip for the weekend, you might want to stop in at Pine Knot, as it is surely beautiful this time of year. The landmark is operated by the Edith and Theodore Roosevelt Pine Knot foundation and visitation is through appointment only, so be sure to call ahead!

## Family Corner



Welcome Wall-E! Jackie has a new addition to her family. Wall-E is a rescue pup that is enjoying his new home and playmates Polli & Clutch. Enjoy the good life little pup.



Avery holding her grandparents' new bulldog puppy, Dolly. Cuteness overload!



## Cyber Security

The holiday season heightens the probability of identity theft and credit fraud. Thieves are looking to take advantage of the increased shopping and holiday festivities that distract from our vigilant credit watch. Keep informed on recent scams going on in your area, as well as knowing the steps you can take to regularly monitor your credit activity. Visit our website to learn more about how to protect yourself and what to do if you encounter an issue.

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## INSIDE THIS ISSUE:

- Dating & Divorce
- Sweet Potato Casserole
- Pine Knot Retreat
- Shopping Online

## Tech Tip:

### For our annual online shopping places and tips:

As always, the first place I check is [www.amazon.com](http://www.amazon.com). In addition to good prices, there are also usually great reviews. You should consider their Prime service to get free 2-day shipping (and now even possibly two-hour delivery) and a host of other benefits (Prime Instant Video, Prime Music, unlimited photo storage in Amazon Cloud Drive, Prime Pantry, early access to deals, Kindle Owner's Lending Library, and you can even share the membership for up to two household members). For electronic purchases, I also check out [www.newegg.com](http://www.newegg.com), [www.tigerdirect.com](http://www.tigerdirect.com) and [www.rakuten.com](http://www.rakuten.com) (formerly Buy.com). These all have great selections and low prices.

To investigate electronic products, I always check out [www.cnet.com](http://www.cnet.com). They usually have some consideration of the product I am looking into and I have found them to be spot on. Another good resource

for in-depth reviews is [www.thewirecutter.com](http://www.thewirecutter.com).

When you have settled on a purchase, don't forget to check to see if there are any online coupons or discounts. More often than not, a discount code exists somewhere, especially for the more traditional retailers. Good sites to check are [www.retailmenot.com](http://www.retailmenot.com), [www.coupons.com](http://www.coupons.com), and [www.savings.com](http://www.savings.com).

Lastly, be sure to be safe when shopping online. Ensure that the site is secured (look for a padlock icon in the address bar and an "s" in the URL address ("Https:"). Consider using PayPal or another payment service so that the vendors don't have your credit card information.

I hope this information helps you save time and money and keeps you safe when shopping this holiday season!

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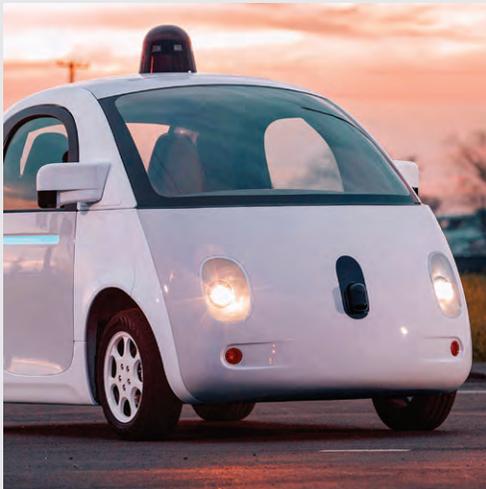
# STAYING *in Touch*

October 2016 Newsletter | VOLUME 5 - ISSUE 10 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Local Farmer's Markets
- Self-Driving Cars
- Cyber Security Awareness Month
- Locally Grown



*Fraud*



IBM Security research found that 60% of cyber-attacks in the workplace were carried out by employees, both intentional and unintentional. The main risks come from human error, intentional foul play such as leaking passwords, and employees becoming victims of phishing scams. The type of information available through workplace networks combined with uninformed and often careless employees creates an environment uniquely vulnerable to cyber-attacks. If you find fraudulent listings on your credit reports, contact us on how to properly dispute them.



**Brandon's Brief:** It's hard to believe we're already into October. The Zeigler family, especially my German wife, Anette, is gearing up for our annual Oktoberfest! While the seasons maybe be changing, everything is progressing ahead here at Parks Zeigler. We've had a great year so far and have enjoyed making new friends along the way.

One of the many rewards of being a part of the Parks Zeigler family is being able to work daily alongside my amazing colleagues. This year, Kellam and Allison, along with myself, were named in Coastal Virginia Magazine's "Top Lawyers." It's an honor to be recognized for what we all love to do and we are grateful to Coastal for the recognition from nominations from local attorneys.

As always, we want to extend our appreciation to our clients. We're looking forward to the fall season and hope you all have a festive October.

*Brandon*



*Did you know?*

The academic calendar in Virginia was largely decided by amusement parks! In 1986, legislation was passed that prohibited schools from starting fall semester before Labor Day. The "King's Dominion Law," as it is called, is still on the books today despite numerous attempts to repeal.



*"Autumn is a second spring when every leaf is a flower."*

*- Albert Camus*



### *Deb Dishes:*

As much as I love summer, I do enjoy Halloween and making festive food for the occasion. I've made Ogre eyes out of pretzels, candy melts and M&Ms. Mummies and skeleton cookies from gingerbread man cookie cutters. Bags labeled "pumpkin poop" that are cheese puff balls. I've also been taking pizza mixes and making pumpkin shaped pizzas, decorated with toppings, since my kids were little. A tradition carried on now with the grandkids. Breadstick dough rolled to a point on one end and shaped into fingers dipped in blood (pizza sauce). Jack-O-Lantern seeds are just packs of orange tic-tacs or jelly beans. Frankenstein on a stick made out of Rice Krispy treats and candy decorations. You can also go healthy with a plate of carrots arranged into a pumpkin with broccoli hair and dip for eyes and cut up cucumbers for a mouth. The possibilities are endless! I know I'm not the only one, as evident by the picture here of the feast my daughter-in-law, Courtney, made for the family. Stuffed pumpkin peppers, cheese brooms, apple lips with peanut butter and marshmallow bites. Our family does this stuff for all the holidays - you know green milk for breakfast, maybe some pink toast.....We love the holidays and like to play with our food!

## **FUTURE OF ACCIDENT CLAIMS**

Our imaginations have long envisioned self-driving cars in the "distant future." Well, if self-driving cars are an indicator, then the future is here. Over the past few years, technology and auto companies have gotten closer to actualizing the self-driving automobile. Tesla has been the name commonly associated with efforts to create a safe self-driving car; although recently Uber announced its first fleet of self-driving cars built in a partnership with Volvo.

Signaling their support for the development of autonomous vehicles, the Obama administration and the Department of Transportation recently released a fifteen-point check list that lays out initial regulatory requirements that must be met before these vehicles can be sold to the public and put on the highway. The checklist covers everything from "crashworthiness" and "law and practices," to "data sharing," and "post-crash behavior." It's understandable that safety regulations such as crashworthiness will be very important in the successful implementation of self-driving cars. However, these regulations also include a focus on privacy, human-machine interface, and ethical concerns, which are strange things to think about in relation to driving.

How will these cars change the way insurance and personal injury law is handled? At this point in time, it's too early to speculate. Traditionally, it is not always clear who's at fault for accidents that occur when people are in control of their cars. So who would be liable when the automobile is driving itself? That question could be approached any number of ways if you

take into account all of the components that make self-driving possible. Or, on the other hand, if robots are assumed to be without error, maybe the fault will be placed on whoever is actually in the car. Claims could be delayed while the mechanics of "fault" must now take on a more diagnostic review of equipment.

But what about insurance rates? It has been predicted that self-driving cars will greatly reduce the rate of auto accidents because over 90% of accidents are caused by driver error. If you remove the driver from the picture, it stands to reason that the number of accidents will go down. What could this mean for the insurance industry? Warren Buffett, who owns Geico, said that he will not be "throwing a party." Concern from insurance companies shouldn't be surprising considering the predictions, as revenues may indeed drop over time. Some speculate that automakers themselves might offer insurance policies. One insurance company in the UK has introduced a policy that covers "drivers for things such as satellite failures that disrupt the systems or hacking by outsiders." These newer considerations in coverage for car insurance will no doubt be an underwriter's headache.

There are any number of ways that self-driving cars will affect the insurance industry and personal injury law. For now, we will have to pay attention to the discussions about how these vehicles will affect insurance practice and the laws governing their operation.

### *On The Local Front*

## **LOCALLY GROWN**

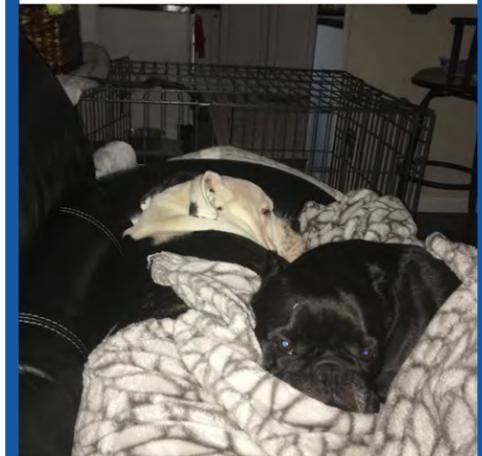
The Hampton Roads community has a number of hidden gems flourishing behind the scenes, all contributing to what makes this area so unique - one of those hidden gems is local agriculture and the numerous farmers markets that offer fresh local produce, meats, and seafood.

At the end of September, more than 600 farmers from across the country arrived in Virginia Beach for the National Small Farm Conference. It's the first time the conference has been held in the city. The Virginian Pilot talked with David Trimmer, the director of agriculture for Virginia Beach, who was very excited to host the conference - "Virginia Beach has always been a leader in the state of Virginia as an agriculture community and what goes on here, from technology to city support to the crops we produce."

Indeed, any trips to local farmers' markets in the area will reveal what Trimmer is so excited about. Five Points Farmer's Market in Norfolk, Smithfield Farmer's Market, Old Beach Farmer's Market, and Virginia Beach Farmer's Market all boast their own unique spirit, as well as their own products, and they are all strong representations of their respective communities. In addition to providing access to fresh local food that always tastes as wonderful as it looks, buying from local farmers enriches the local economy and also protects the environment.

If you have some free time over the weekend, make it a point to visit any of the local farmer's markets. You won't be disappointed!

### *Family Corner*



The recent storm left our office without power, so that Monday was a work from home day. For Alex that meant intruding on Winston & Punky's nap time.



As with many folks in our area, the flooding caused major damage as seen by the receding water level at Sara's front door. Sara's 1st floor and garage is a total loss. Thank goodness she had flood insurance... let the remodeling begin!

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### *Family Law*

One issue to work through in a divorce case is the marital home. There are three general ways of dealing with the issue - one spouse buys out the other spouse's interest; sell the house to third parties; or one spouse continues to live in the house until it is sold. Each of the three options come with its own complexities and questions that require an extensive grasp of important Virginia laws, all of which can be navigated properly by an experienced lawyer.

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## INSIDE THIS ISSUE:

- Local Farmer's Markets
- Self-Driving Cars
- Cyber Security Awareness Month
- Locally Grown

## Tech Tip:

### October 2016 - Cyber Security Awareness Month

For this year's post for Cyber Security Awareness Month, I am focusing again on information and tips regarding online/mobile security. I'll give the usual plug for my favorite password manager, LastPass ([www.lastpass.com](http://www.lastpass.com)). For the master password for LastPass (or your sites if you don't use it), you need a strong, secure password and passphrases are the best (e.g. "my\_fav0rite\_m0vie\_is\_Star\_Wars").

A good resource for security tips/information is the Department of Homeland Security's "Stop.Think.Connect" Campaign. They have provided numerous resources for different populations (students, businesses, etc.). Materials can be found here: <https://www.dhs.gov/stopthinkconnect-toolkit#>

The National Cyber Security Alliance's website also remains a good place to visit - <http://www.staysafeonline.org/>. This site has a ton of information for both individuals and businesses on how to be smart about online safety/privacy.

American households are becoming ever-increasingly connected with the "Internet of Things" (the everyday devices being connected to the internet such as refrigerators, thermostats, etc.). This year integrated "smart control centers," such as "Alexa" from Amazon, have really taken off. There are connections being made through in-home networks to allow Alexa to control your smart thermostats, lights, fans, outlets, locks, and even sprinkler systems. Always ensure your home network is safe and be knowledgeable about what is connected.

Remember a few practical tips for any devices you own:

1. Be sure to set a passcode (and make it a real password or at least 6-digits)
2. Activate auto-lock so that your device is protected when you are not using it
3. Set a maximum allowable number of pass code attempts (so that the device is wiped if someone tries to hack it)
4. Consider installing a tracking app for locating your device if lost

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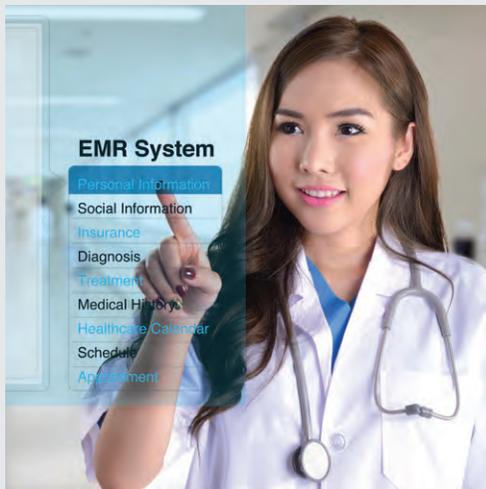
# STAYING *in Touch*

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## IN THIS ISSUE:

- Craft Brews
- Lamas at ODU
- Injury Claims and Prior Injuries
- Home Router Settings



## *Medical Data*



Did you know that you have access to your Electronic Medical File? Keeping track of the information on your EMF is one way to help protect yourself against healthcare industry data breaches. Any irregularities may indicate foul play. Healthcare industry data breaches are increasing each year, and there were 253 breaches in 2015 alone. Visit our website to learn more ways to help protect your sensitive information.



**Kellam's Corner:** I hope everyone had a good back-to-school month. I know the crew at Parks Zeigler had a successful transition and the Parks household saw Avery start her first year at ODU in the dance program – very exciting!

At the firm, the attorneys are keeping quite busy advancing the practice of law in addition to serving our clients. Allison recently taught a legal seminar on discovery and evidence in divorce and continues her role as a member of the Virginia Bar Association's Family Law Coalition, helping review and comment on changes to Virginia's family laws; Alex will soon be presenting on the topic of the ethical boundaries for lawyers pursuing their cases in court; Brandon remains busy with the Virginia Beach Bar Association, becoming President in January; and I now serve on two Virginia State Bar Committees – (1) Co-chair of the Special Committee on the Technology and Practice of Law and (2) the Study Committee on the Future of Law.

Be sure to check-out our firm's Facebook page for regular updates on what's going on during the month, as well as substantive posts on our areas of law.

*Kellam*



## *Did you know?*

A vending machine is more likely to kill you than a shark! Vending machines cause an average of 2.18 deaths per year, while sharks cause less than one death per year. You also have a greater chance of being killed by ladders, mosquitoes, beds, ants, cows and balloons than by sharks.



*"Start by doing what's necessary; then do what's possible; and suddenly you are doing the impossible."*

*– Francis of Assisi*

## PRIOR PERSONAL INJURIES

Last month, a man was awarded \$450,000 in a personal injury claim after being in a car accident. He was rear ended while stopped at a red light, the impact itself was deemed "minimal." Even though the collision was not serious itself, what worried his doctor were previous injuries suffered by the plaintiff and how they might be aggravated or worsened by the accident in question. The plaintiff's previous injuries date all the way back to 1975 when he broke his neck in a terrible auto accident.

Can old injuries affect the way insurance adjusters and personal injury attorneys handle claims made after a car accident? Yes. Many times the defendant's insurance company or lawyer will argue that the injuries in question are not a result of this accident, rather they stem from an injury sustained earlier. A plaintiff's claim can take past injuries into account if the collision leads to more pain and medical attention than would be needed otherwise.

This reason, among others, is why it is so important for the plaintiff to disclose all previous injuries to his or her attorney immediately following the accident. If a prior injury has weakened the plaintiff in any way that may make him or her more susceptible to further injury, then it will be taken into consider-

ation when filing the claim. In this way, prior injuries become consequential because they can make someone more vulnerable to low impact accidents.

A further advantage to disclosing prior injuries in a timely manner is the ability to have a personal injury attorney compare medical records to help verify that the accident in question aggravated or worsened the plaintiff's condition based on the prior injury. This information can affect the amount of compensation for the plaintiff. You also want your attorney to know all your past accidents or injuries should the insurance try to use such information against your claim.

Because injury claims are often complicated by situations like these, it is vital that plaintiffs be completely honest about any past injuries suffered before the accident in question. Even those injuries that may seem altogether unrelated to current circumstances should be disclosed to the attorney. Failure to disclose prior injuries, discovered later, could call into question the plaintiff's legitimacy and could potentially affect the value of the claim.

If you, or anyone you know, suffers an injury from an auto accident, don't hesitate to contact us to see if we can help.

## Deb Dishes:



I know many folks are excited about Fall and pumpkin spice everything, except me, I want more watermelon! And with such high temperatures starting the month, I'm not really into soups and stews yet. Here is a brief list of foods that are coming into season: Apples, Brussel sprouts, Parsnips, Pears, Rutabaga, Cauliflower, Squash, Turnips, Sweet potatoes, Pomegranates, Dates, Kiwi, Tangerines, and Grapefruit. After reviewing this list I think I can keep my summer minded taste buds satisfied with adding some of these fruits to salads. And sharing pomegranates with kids is great fun. I admit I did not know exactly what you did with rutabagas. So I thought I'd venture in to cooking this veggie, known everywhere else in the world as swedes. I like that you can cook them as you would a potato – you can bake it, boil & mash it, and add it to soups. It is lower in carbs than potatoes, has significant vitamin C, zinc and fiber. I decided I would peel them, cut up in cubes, splash some olive oil, salt & pepper and bake them in the oven. They were really good! I will have to try them in soups next. If you cook with rutabagas- drop me an email telling me how you cook them at dmontagna@pzlaw.com. Always willing to try something new from the kitchens of friends!

## On The Local Front

### CRAFT BREWS

The Hampton Roads area is going to add another craft brewery to the growing list of breweries in the area. In August, Green Flash Brewing based in San Diego announced it would be adding their second brewing facility in Virginia Beach. They hope to open their new 58,000 sq. foot facility by November of this year. According to Brewbound.com, Green Flash hopes to be eventually brewing and packaging 100,000 barrels annually, offering East Coast consumers West Coast prices starting January 2017.

There will be a family friendly tasting room with as many as 30 options on tap, food trucks, a beer garden and extensive brewery tour program. Also available will be a private room and garden for events. Besides bringing award winning beers to our locale, the company has a history of supporting the local community in many positive ways.

Green Flash Brewing will be yet another brewery added to the long list of successful brewery businesses in Virginia Beach. It will take up ranks alongside Back Bay Brewing Company, Young Veterans Brewing Company, Reaver Beach Brewing Company, Pleasure House Brewing, and Commonwealth Brewing Company. And of course, that does not include a plethora of Norfolk breweries. There's definitely a lot of competition, but there can never be too many breweries and we're ready to welcome Green Flash to the area!

## Family Corner



Avery with a Llama at ODU – clearly tuition is paying off!



Pictured here with Matt, Connor on guitar and Skylla. Living close to the beach means biking to Ocean Breeze Waterpark and catching pirates on the oceanfront!

## We welcome your referrals!

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## Social Media Evidence

When a couple is going through a divorce, all sorts of information can be used as evidence in court, such as public social media accounts, email messages, and text messages. To gain access to private electronic correspondence, attorneys must provide a reason for the request and a reason why it is relevant. Social media evidence, however, is easily obtained if not locked down.

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## INSIDE THIS ISSUE:

- Craft Brews
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## Tech Tip:

### Basic Router Settings

If you have wireless internet in your home, you have a router, which is the hardware that broadcasts your Wi-Fi signal. The settings of the router are controlled through an interface you access via your internet browser and there are a few basic things you should set up/change for best security/usage:

- Change default login - Change the default that came with your hardware (otherwise someone can easily hack into your systems). If you don't have the manual to your router, Google the name and you'll quickly find the web address to log into the router and the default login/password. Every manufacturer is different as to how the interface looks, but the basic settings are usually the same and there are good tutorials online on how to adjust your particular router. Worst case scenario, you can call customer service for the router for assistance.

- Security - You'll have several options for security from none (NEVER use) to various security types (WEP, WPA, WPA2, WPA2-Personal or WPA2-PSK). Without getting into the technical aspects, I recommend you use WPA2 - Personal or WPA2-PSK as it may appear for your router. You'll pick a good passphrase (NOT your address or phone number) and that will ensure a secure login to your network.

- Set up Guest Access - When you have guests that want to use your Wi-Fi, it is best to have a separate login for them and most modern routers have this option. You'll set up a different password and can even limit access to the slower bands if your router is dual band (2.4GHz vs. 5GHz) to save the faster traffic for your home users.

There are a ton of settings you can modify, but these will get you started with the basics to ensure you are secure and can give access to guests.

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## IN THIS ISSUE:

- College Life and Credit Safety
- IKEA
- Tupelo Honey Café



**Brandon's Brief:** Greetings! The summer season doesn't officially end until Labor Day, but the start of August always feels a little different because school is right around the corner. The carefree attitudes of July begin to fade as the angst of school creeps into many homes (this feeling is somewhat moderated by the beginning of football season – YEA!) Speaking of which, I'm excited and proud to announce that my son will begin 6th grade, entering middle school. To commemorate this big step forward I'm taking him zip-lining and white water rafting for a last summer hurrah. Hopefully we'll both stay in the raft!

We continue to remain busy here at Parks Zeigler, and as always, we are grateful for all of our clients. Please know we labor in your best interest, hoping to alleviate your worries. Please feel free to contact us with any questions you may have regarding family law, credit fraud, personal injury, or starting your small business.

*Brandon*

## *Personal Injury*



Have you noticed the "red light cameras" perched at intersections and wondered how they work? According to VDOT, "[t]he camera is triggered by any vehicle entering the intersection above a minimum speed," and allows a "grace period" of 0.5 seconds after light turns red. The main purpose of these cameras is to increase the safety of drivers and pedestrians, but if the camera catches you running the light, you will get a ticket in the mail.



## *Did you know?*

We all know the saying "curiosity killed the cat," but did you know there's more to the phrase? It used to include the rejoinder: "...but satisfaction brought it back." The saying itself dates all the way back to the era of William Shakespeare and has gone through subsequent changes over the centuries.



*"Once you replace negative thoughts with positive ones, you'll start having positive results."*

*– Willie Nelson*

## COLLEGE LIFE AND CREDIT SAFETY

This month marks the start of the 2016 Fall semester and recently-graduated high school seniors will be getting their first taste of college life. Students who venture onto campus for orientation will likely be bombarded by credit card companies offering "special promotions" with hopes of taking advantage of the pragmatic concern of earnest parents and the excitement and enthusiasm of incoming freshmen.

Often, after these new credit card applications are processed, parents learn their child's identity has been stolen and their credit worthiness ruined. Minor children are targeted because few people monitor their children's credit thinking they would not have any activity and/or accounts as minors. However, that makes them easy targets, especially if their personal information has been compromised through all the years of signing up for school, doctor's offices, and various activities.

The first semester of college is an exciting one and it's easy to become complacent when it comes to your credit security. It is helpful to recognize the further vulnerabilities that exist with these "college opportunities" in order to help protect students and parents from identity theft and credit fraud. The most important issue that should be first discussed is simply awareness. The habits and distractions of college life can often nurture a negligence that increases the chances for

identity theft and credit fraud.

Both parents and children need to be extra vigilant in looking for irregularities that could very well be the result of tampering. Identity thieves are constantly taking advantage of opportunities that college students often provide, from online books, to public WiFi hacking, and password laziness. The danger of identity theft needs to be addressed so that students maintain good habits of cautious spending, like not making online purchases from their mobile devices as they sit at a cafe. Have sensitive documents mailed to a student's home address rather than their college address, keep anti-virus and anti-spyware software up to date on all devices, keep important documents locked in a safe place, and don't let friends borrow credit cards or leave personal information lying around their rooms.

If you haven't already done so, you should pull your children's credit reports to see if there has been any fraudulent activity. If there has been, action can be taken prior to them needing their credit as adults. It is not possible to completely safeguard against identity theft, but there are measures that can be taken that make it more difficult for thieves to gain access to sensitive information. If you find out that your, or your family members', credit reports contain fraudulent account information, we're happy to help – just contact us.



## Deb Dishes:

I love fresh summer fruits and vegetables. I believe I have had a new watermelon in my fridge almost every week. I associate Summer with Southern fare, so let me tell you about a recent dining experience. Tupelo Honey Café has great food and a friendly, appropriately attentive staff. We started with Crispy Fried Brussels with bacon bits and a garlic buttermilk dipping sauce, BBQ Pork Johnny Cake (which is a meal in itself), Grilled Watermelon with bacon bits (hurry in, this one is seasonal), and Fried Green Tomatoes served in a bed of cheese grits & red pepper coulis. Our mouths were blissfully excited by these various flavor combinations. Then we were served their biscuits with honey and a fruit compote. The buttermilk fried chicken is not just for the kids, it's delicious. While we were getting quite full, we just could not help ourselves from trying one more dish, so we split a Havarti cheese burger. This might be my new favorite burger in town, the beef was that tasty. We finished the meal off with a Honey Buttermilk Cheesecake topped with Blueberries. I want to thank server Jeremy for his excellent service and manager Ryan Bowen for his gracious and generous Southern hospitality. If you have not been yet, make your online reservation now! They have many fun weekday specials and an upcoming craft beer event. We will be back.....must try it all!

## On The Local Front

### IKEA COMING TO NORFOLK

Big news for Hampton Roads! It was revealed in June that the Swedish furniture giant IKEA will build one of its massive stores on a plot of land just north of North Hampton Blvd and just west of I-64. The news of IKEA's arrival comes just after ground was broken on a new premium outlet shopping center that is being built near North Hampton Blvd as well.

The IKEA complex will boast 331,000 square feet, require 1,000 parking spaces, and take up 19 acres of a 24-acre plot of land. All in, it will be worth \$12.2 million dollars. It is predicted that the store will provide 500 jobs for construction and once built, will employ 250 workers.

The news was met mostly with celebration and served as vindication for the Facebook group entitled "Bring IKEA to Hampton Roads" which had garnered over 6,000 "likes." IKEA is an extremely popular brand, currently the closest store being three hours away in Woodbridge, Virginia. There are only 42 IKEA stores in the United States, so the decision to build on in Hampton Roads bodes well for our area in terms of future opportunity and regional growth.

The store is not scheduled to be completed until 2018, so we'll just have to wait patiently for creative furniture and those delicious Swedish meatballs they serve in the food court!

## Family Corner



Polli Leitzel, Jackie's dog, enjoys the family pool very much and has her own life vest, with a handle to pick her up out of the pool. All the kids love playing with Polli in the pool!



Congrats to Alex & Beth, as they have purchased their 1st home as a married couple. Let the home projects begin!

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Family Law

"Cohabitation" is an important term in divorce law. Not only does it refer to a man and woman living together, but can also refer to people of the same sex living together. In Virginia, the law looks to a four-factor test to decide if two people are cohabitating. The factors are (1) sharing a common residence; (2) a romantic or intimate involvement; (3) the duration of the cohabitation; and (4) the provision of financial support.

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## INSIDE THIS ISSUE:

- College Life and Credit Safety
- IKEA
- Tupelo Honey Café

## Tech Tip:

### Facebook Security/Privacy Tune-Up | Part Two

This month we're diving deeper to tackle the more popular of the advanced privacy settings. To get to the advanced settings, click the drop down arrow in the top right of your page, then "Settings." The three sections below are to the left side of the screen.

#### Privacy

*Who can see my stuff? | Who can see your future posts?*

- Same as what the Privacy Guide handled.
- Review all your posts and things you're tagged in - Allows review of all photos where you've been tagged, click "Activity Log" and then "Posts You've Been Tagged In" and "Photos>Photos of You" to the left. You can remove the tags (clicking checkbox of the left of the post/photo and then the "Remove Tag" button) or merely hide them from your Timeline (click the cog wheel icon to the right of the post/photo).

*Who can contact me?*

- The default is "Everybody," but you can change to "Friends of Friends" to limit.

*Who can look me up?*

- Limit people finding you through your email and phone number with

the first two choices.

- Can also limit the ability to use outside search engines to find you on FB on the third option.

#### Timeline and Tagging

*Who can add things to my timeline?*

- Lockdown your timeline so that only you can make new posts to it rather than your Friends.
- Enable a filter to see any tags in which you appear before they appear on your timeline.

*Who can see things on my timeline?*

- The first option lets you view your FB page as "Public" or even specific people to verify your selected privacy settings for certain people.
- The second and third options let you control who sees posts you've been tagged in on your timeline and who sees what others post on your timeline.

#### Blocking

- Gives you lots of options to restrict Friends and block users, messages, app invites, invites, etc.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

# STAYING *in Touch*

July 2016 Newsletter | VOLUME 5 - ISSUE 7 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## Errors on your credit report?



## JOIN ME September 17<sup>TH</sup>!

Presenting "Fraud Prevention/Credit Report Errors"  
by Kellam T. Parks

*Free educational seminar and materials*  
September 17<sup>th</sup>, 2016, 2:30am – 3:30 am  
RSVP to reserve your spot:  
JLeitzel@pzlaw.com or 757-426-4526

Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**



**Kellam's Corner:** We hope everyone had a safe and enjoyable 4th of July holiday. The Parks family's annual 4th of July OBX vacation was great as usual. We had some family friends come down for a few days, spent an evening at Kelly's sister's house in Corolla (where I drank a lot of great wine with my brother-in-law) and Avery had a few friends come down – nice full house for most of the trip.

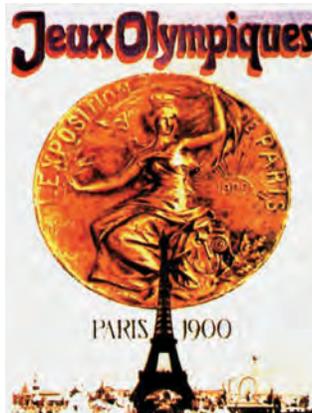
On the firm front, we've hired two part-time marketing assistants to help Deb in promoting the firm and expanding our presence. Zach and Travis are great additions to our team. We also have an exciting project we look forward to sharing in the next few months, stayed tuned.

*Kellam*

## *Personal Injury*



When there is a car accident, the involved parties often want to clear things up as amicably and quickly as possible. They each check to make sure they are physically OK, exchange insurance information, and go on their way. Some injuries, such as whiplash, may not be felt immediately. You need to be mindful of your health and schedule an appointment with your physician if any discomfort following an accident. The initial inconvenience will not only insure you are physically okay, but will also better serve you when filing a claim.



## *Did you know?*

In the 1900 Paris Olympics, 1st place winners were awarded paintings instead of metals, as they were deemed more valuable. The 1st Olympic city to award gold, silver and bronze medals was St. Louis in 1904. The last medals made of pure gold were awarded in 1912 Stockholm. Current medals are gold-plated.



*"What lies behind you and what lies in front of you, pales in comparison to what lies inside of you."*

*– Ralph Waldo Emerson*

## JULY 1 CHANGES IN VIRGINIA LAW

July 1 is the date most new laws passed by the Virginia Legislature take effect. Here are some of the more notable changes this year in our practice areas. We've given the link to the new law's text beside each.

**HB1391/SB 40** – Protective Orders; Possession of Firearms – penalty.

<http://lis.virginia.gov/cgi-bin/legp604.exe?161+-ful+CHAP0048+pdf>

It is now a Class 6 felony for a person who is subject to a full, family abuse protective order to possess a firearm while the order is in effect. This closes a gap between Virginia law and Federal law as to the possession of firearms (previously just Federal) and the transportation or purchasing prohibition (both Virginia and Federal). This new law does give the person 24 hours after being served with the protective order to sell or transfer the firearms to another person.

**SB278** – Criminal History Background Checks – Continued Employment of individuals convicted of an offense

<http://lis.virginia.gov/cgi-bin/legp604.exe?161+-ful+CHAP0632+pdf>

Prohibits assisted living facilities, adult day care centers, licensed and registered child welfare agencies, and family day homes approved by family day systems from continuing to employ individuals who have been convicted of specific offenses defined in §63.2-1719 that are barrier to employment.

**HB 1348** – Smoking in motor vehicles; presence of minor under age eight, civil penalty.

<http://lis.virginia.gov/cgi-bin/legp604.exe?161+-ful+CHAP0515+pdf>

Provides that any person who smokes in a motor vehicle, whether in motion or rest, when a minor under the age of

eight is in the motor vehicle is subject to a civil penalty of \$100.

**HB752** – Stalking; penalty.

<https://lis.virginia.gov/cgi-bin/legp604.exe?161+-ful+CHAP0745>

Provides that contacting, or following or attempting to contact or follow, the person at whom stalking conduct is directed after being given actual notice that the person does want to be contacted or followed is now prima facie evidence that the person intended to place the other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault or bodily injury to himself or a family or household member. In plain English, this changes the law from what was the case - that the victim had to prove that he or she was in fear of death or bodily harm - to it now being this fear is presumed and the defense must show otherwise to remove that hurdle from stalking victims.

**HB 703/SB415** –Legal Age for Marriage; 18 years of age.

<http://lis.virginia.gov/cgi-bin/legp604.exe?161+-ful+CHAP0457+pdf>

Provides that both parties to a marriage must be 18 years of age or older or emancipated. This law removes the previous allowance for a minimum age of 16 with parental consent or younger than 16 in cases of pregnancy with parental consent.

**Just as an FYI - HB 335/SB352** – Official Emblems and Designations, official snake; state rock.

<http://law.lis.virginia.gov/vacode/title1/chapter5/section1-510/>

Added that the Eastern Garter Snake is Virginia's official snake and that Nelsonite is our official rock. Important stuff to know!



## Deb Dishes:

Thinking on the beverages of today, versus in the past and what would be my summertime favorite. Glenn Leitzel, Jackie's husband and a great cook, recently introduced me to Buffalo Rock ginger ale. Wow, is it spicy good! And makes a great ice cream float, just ask my son. Problem is, you cannot buy it in Virginia. They are based out of Alabama and seem to only distribute this product in AL, GA and the panhandle of FL. I remember as a child loving blue cream soda and Dr. Pepper, and yes, it tasted better because it was blue. I have noticed that restaurants are always coming up with new drinks. You don't just ask for lemonade anymore, you must specify raspberry, strawberry, etc. Same with tea and not just flavors but different types of tea are becoming more mainstream, like green tea. I suspect there is no difference in bottle water, but many folks claim they have a preference. With the purchase of a soda making machine, you can even craft your own mixtures with bubbles! Between sodas, juices, waters, coffees and tea, it amazes me that there are at least three full rows of drink choices at the grocery store. I'm curious if your drinking preferences change with the seasons? Let me know what your favorite summertime drinks are - dmontagna@pzlaw.com. Enjoy!

## On The Local Front

### PICKING YOUR BUSINESS TYPE

There are a myriad of different business structures and each comes with its distinct advantages and preferred applications. You can surf the internet and find all sorts of information on how to form your own company and file the required documents, but if done incorrectly the owner may not be protected from personal liability. "Fill in the blank" documents are generic and are not drafted to suit your particular business. When starting a business, it is crucially important to select the best business structure for your circumstance, and these generic documents very possibly do not consider Virginia law. An error in this step of the process could very well lead to unnecessary taxation or limited legal protections.

So how many different business structures are there and how do you know which one is the right fit for you? In Virginia, a business can be structured in many different ways. These include sole proprietorships, limited liability corporations (or LLC as it is commonly referred), general partnerships, C-corporations, and S-corporations. Amongst these, the first three are generally more suited for individual or joint ventures. The LLC is most popular because it allows for limited liability (similar to what corporations have), but the owners are taxed similar to sole proprietorships or general partnerships. Corporations, on the other hand, are generally more complex and have different tax structures. Because of the distinctions, both small and large, between these structures, it is important to be well informed before choosing one for your business. When starting a business, it is beneficial to consult with someone who has intimate knowledge of these structural distinctions, and is familiar with how they operate. Such advice can be helpful when it comes to selecting a structure that fits you and/or your partners' unique circumstance and the proper planning can prevent reasonably foreseeable future problems from becoming crippling.

If you have any questions about starting a business in Virginia, please contact us. We will help you understand the various options and assist you in starting your new business venture on the right foot.

## Family Corner



Avery and Molly Rumble at the Parks' annual OBX vacation. These girls have been friends and dancing together for over 13 years, both off to college as dance majors in the Fall.



Introducing Kellam's new puppy, Obi-Wan... "Obi" for short. We picked it b/c (a) Star Wars and (b) his coat looks like Ewan McGregor's Obi-Wan attire.

*We welcome your referrals!*

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Pre-nuptial agreements can often be viewed with skepticism. Although, in many circumstances, the pre-emptive allocation of current assets is advantageous to both parties. For example, in cases where a couple is also in a small business joint partnership together, or if one or both parties owns family property. Ultimately, pre-nuptial agreements are about maintaining fair protection of assets despite what may arise during the marriage. If you have questions, please contact us or visit our website.

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## INSIDE THIS ISSUE:

- July 1 Changes in Virginia Law
- Facebook Security
- Starting a Business

## Tech Tip:

### Facebook Security/Privacy Tune-Up

For the next two months, I'm circling back to Facebook security/privacy. This month is basic privacy settings using the relatively-new Privacy Guide FB instituted:

**Privacy Guide** - Click the padlock symbol in the upper right for the dropdown window with a walkthrough of current settings for review/tweaking - click "Privacy Checkup" and go through the three listed to see what you have currently set.

**Posts** | I recommend using as the sharing default "Friends" rather than "Public" so that your information isn't broadcasted to the world. You can further customize by choosing to exclude certain Friends from seeing your updates and can also restrict sharing to tagged friends of your Friends to ensure your circle is as tight as you wish it to be. To customize, click on the button highlighted under "Who do you want to see your next post?" - should be either "Public" or "Friends" already. Then click "More Options," then

"Customize." Now you can choose whom to exclude or limit the other sharing.

**Apps** | This section lists all Apps that you have installed connected to FB. Each App will list with whom it shares information. You can lock them down as you wish and delete unused Apps from this menu.

**Your Profile** | Here you review your personal information, such as phone numbers, email addresses, birthdays, and hometown. You can determine how much of that information is shared and with whom. You can even choose to just share your birth day and month and not year if you want to cheat a little on your age. To get the full list of information you're sharing, click "About Page" button to review everything.

Next month I'll dive into advanced settings to ensure you're as protected as possible!

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

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## IN THIS ISSUE:

- Summertime Crowds
- Free Wi-Fi coming to Norfolk
- Family Law
- Gmail Tips/Tricks



## *Credit Cards*



"Do I swipe my card or use the chip?" Even though retailers were supposed to switch over to the more secure EMV chip by 2015, many still haven't. It is important to remember that EMV chip cards are only more secure if they are used properly - inserted rather than swiped. Keeping an eye on your credit reports and bank accounts to catch any unauthorized charges or accounts early can prevent much larger headaches down the road.



**Brandon's Brief:** Rain, Rain, Go Away - this Spring has been a wet one so far. Most of May was spent inside avoiding the rain. Hopefully, the sun will be our frequent guest on most days to come.

There's nothing better than the Virginia Beach Oceanfront to help fight the heat that is sure to make us sweat in the upcoming months. My family is looking forward to spending many weekends in and around water soon - fishing and tubing rank high on my son's list.

While summer might bring a break from school, the daily issues of life do not take a holiday. Whether it be an unfortunate automobile accident, identify theft while traveling, or a summer visitation issue, we are here to assist you. Don't hesitate to contact us with questions or concerns.

*Brandon*



## *Did you know?*

During WWII, the demand for soldiers was so great that there weren't enough men to fill the rosters of the Philadelphia Eagles and the Pittsburgh Steelers. To compensate, they simply merged the teams for the 1943 season to form The Steagles! Their season record was 5-4-1.



*"Success is walking from failure to failure with no loss of enthusiasm."*

*— Winston Churchill*

## SUMMERTIME CROWDS

This year, summer officially began on June 20th. Although, as I'm sure many of you can tell, the spirit of summer has been in swing since May. The days are longer, the weather is warmer, and a lot more people – both local and out-of-towners – are making their way to the Hampton Roads area to enjoy the beaches, rivers, and all of the other wonderful parks and attractions our cities have to offer. With all the fun that comes with summer, it's important not to neglect the heightened risks associated with traveling during the season.

A significant rise in vehicle volume also means a corresponding rise in traffic congestion. As would be expected, more traffic translates into more chances for accidents to occur. When venturing out on the roads, whether it be to work or to the beach, be sure to give yourself extra time. This will allow you to get through any surprising traffic jams or detours. Arguably most importantly, not being in a rush can help prevent rash reactions to the inevitable frustrations driving can bring and perhaps reduce your chances of being involved in a traffic accident. Starting your day with peace of mind can certainly be an all-day advantage.

On those days off when you finally have time to drive down to the Oceanfront, you'll need to be extra vigilant in keeping an eye out for pedestrians, bikes, mopeds, and skateboarders.

The summer season brings not only a spike in vehicle traffic, but also more people enjoying leisure activities. In areas where there is high foot traffic, tourists are often distracted and will frequently walk out in front of oncoming traffic without a second thought. Extra close attention should be given to the task at hand when operating your vehicle in areas where foot and/or bike traffic is dense. As anyone who has been to the Oceanfront can attest, there is also an increase in bicycles on the roads as beachgoers take to two wheels to avoid the long lines of vehicle traffic. For unaware or distracted motorists these additional distractions can easily lead to tragedy. Your best bet is to take it slow, be aware of traffic patterns and others around you... and tell the kiddos they can have a snack when you're all safely OUT of the car and on the beach! Remember the line from Driver's Ed? Look left, then right, then left again before proceeding.

Please keep in mind that no matter what you do to enjoy this warm weather, statistics reveal an increase in traffic accidents over the summer months, especially in August. If you become involved in a traffic accident, you should ensure you are fully aware of your rights and obligations under Virginia law. Experienced counsel can help you avoid frustrations and work to secure the best settlement options available to you.

*We welcome your referrals!*

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## Deb Dishes:

I think I enjoy salads most in the summer because there are more “fresh” options to add in to make them unique. My favorite is a simple one made of romaine lettuce, strawberries, feta cheese, English cucumber slices and candied walnuts with a raspberry vinaigrette. Of course the old family standard of iceberg lettuce, cucs, carrots, celery, radishes, and tomatoes (not me) with French, Catalina, or Green Goddess dressing is still good too! I wasn’t so sure about adding fruit to a green salad and then pouring balsamic vinegar over it, but now I’m all in favor of the new flavors. I even like to add shredded cabbage for more of a crunch and use mandarin oranges frequently. My fav restaurant salad is CPK’s lunchtime Super Spinach & Quinoa. Kellam’s is the Cobb salad at Woody McGee’s in Virginia Beach. He says it’s so hearty, easily shared by two for a complete meal. Allison loves the Grilled Chicken & Bacon at Big Sam’s. Lia’s home favorite includes avocado, granny smith apples and Craisins with mandarin oranges and a quick homemade dressing. Or how about Zach’s (our new marketing assistant) fruit salad with fresh lime juice, basil and brown sugar... So many tasty options! Go to our website for these recipes and many more: <http://www.pzlaw.com/library/recipes/>

## On The Local Front

### FREE WI-FI COMING TO NORFOLK

The Virginian Pilot reports that a public Wi-Fi project will begin in Norfolk’s Park Place neighborhood this Fall. It will be the first large scale project of its kind in Norfolk. Currently, there are small public areas that offer free Wi-Fi, such as downtown’s MacArthur Square. This installation will potentially be able to provide service to 7,800 people at one time, bringing high-speed access to the internet to an entire neighborhood. Officials hope that this service will help provide further educational opportunities after library hours. This is big news in a society where internet access is no longer viewed as a luxury but a necessity.

The city’s chief information officer, Steven Debarry, said that the service will be sourced from the hardline internet at Monroe Elementary School. The signal will be sent out wirelessly through a device called a “concentrator,” which will forward data transmission signals to 61 nodes around the neighborhood. These nodes will work like residential routers. Debarry does not perceive the cost to be too high, which is always a plus.

Norfolk is partnering with WHRO to help see this through, and there are plans to install public Wi-Fi in other areas of the city in the near future. Debarry is excited about the project and the fact that Norfolk is a city that is leading the way in establishing free public Wi-Fi access. In 2015, Google named Norfolk an “eCity,” citing the strong online presence of so many small businesses.

## Family Corner



On one of many fishing trips with Dad, Noah was quite happy to catch this catfish. Noah also celebrated his 12th birthday recently and will be moving on to 6th grade in the fall.



Deb is elated at welcoming her newest grandson, “Luke”, making Bryant a big brother. Christopher Luke Achor arrived on June 7, weighing in at 8lbs even and measuring 21 inches long. Brandon’s wife, nurse Anette Zeigler was on hand to assist and Jackie brought food! We are most grateful to them both.



One of the most difficult things about ending a marriage and separating a family is negotiating the terms of child custody and visitation. When children are involved, divorce can quickly become even more emotionally stressful. Having competent legal counsel can help secure what is best for you and your child or children for the future. When it comes to children and divorce, knowing your rights and the rights of your spouse is of paramount importance.

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## INSIDE THIS ISSUE:

- Summertime Crowds
- Free Wi-Fi coming to Norfolk
- Family Law
- Gmail Tips/Tricks

## Tech Tip:

Knowing a lot of our readers use Gmail, I wanted to take this month's Tech Tip to hit some tips/tricks for this mail service:

- Shortcuts - Gmail has lots of keyboard shortcuts to save you time and hassle if you turn them on. A good infographic on how to do that and the shortcuts themselves can be found here: <http://visually/minimalistic-gmail-cheat-sheet>
- Spam Control - You can label messages as "spam" to try to control them; however, you can also block messages from a particular user too. To do so, you click the "More" drop-down menu (the small down arrow to the right of the Reply button on the right of your emails) and select "Block [username]"
- Undo Send - I've discussed this one before, but it's a neat feature. You can claw back messages you accidentally send (or decide might be better to take back). Go to Settings>General>"Enable Undo Send" and choose a time period (5, 10, 20, or 30 seconds). Now when you send an email, a yellow box appears at the top of Gmail and lets you take it back within that specified time period. Also applies to discards.
- Multiple Accounts - If you have more than one Gmail account and use Google Chrome as your browser, you can keep the different accounts open and signed in under different tabs and won't have to log in and out between them.
- Backup - You don't have to rely on Google to keep all your messages safe forever. You can grab just the Labels you want (what Gmail calls folders). Link with instructions and detailed information here: <https://goo.gl/IPwL4L>

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

May 2016 Newsletter | VOLUME 5 - ISSUE 5 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

## IN THIS ISSUE:

- Waterside District
- Spotify
- Hummingbird Cake
- Credit Reporting Fraud



**Kellam's Corner:** I hope everyone had a great Memorial Day weekend. We're working hard here at Parks Zeigler, PLLC, both for our clients and growing the firm. We've got a few things percolating we're excited about that we'll be sharing in the coming months, stay tuned.

On the home front, Kelly and I are pleased to share that Avery is attending ODU in the Fall and has been accepted into their dance program after April auditions. As is par for the course, she had an injury, but persevered and made it despite the challenges. We're proud of her and excited for the next chapter in her life.

Have any great summer plans? Get in touch with us through our social media pages and let us know what you're up to. We'd love to hear from you.

*Kellam*

## *Family Law*



The divorce process takes place in Circuit Court and starts by filing a legal document called a "Complaint," which outlines the specific facts. Unlike in Juvenile and Domestic Relations Court, where most post-divorce matters and matters involving unmarried parents are heard, Circuit Court is not form-driven, meaning that you have to create your own filings. Because of the complexities of Circuit Court and divorces in general, it is highly advisable to hire competent counsel who can ensure your rights are fully protected and that your divorce is finalized properly.



## *Did you know?*

Many people think Cinco de Mayo is Mexico's "Independence Day," but it's actually a day when Mexicans were victorious over the French in the Battle of Puebla in 1862. Mexico's true Independence Day is September 16. In the United States, Cinco de Mayo has become a day to celebrate Mexican heritage and pride.



*"If you can't fly, then run. If you can't run, then walk. If you can't walk, then crawl, but whatever you do, you have to keep moving forward."*

*— Dr. Martin Luther King, Jr.*

## CREDIT CARD FRAUD AND IDENTITY THEFT

Credit card fraud and identity theft are still on the rise. According to the Federal Trade Commission, one in five consumers has an error on their credit report. Even though Virginia has updated laws involving identity theft, such as increasing the punishment if convicted, you may still be stuck with damaged credit and the hassle of trying to repair that damage.

It is not as easy as just calling the bank or credit company and telling them there's a problem. It can take months, if not years of effort to get the credit bureaus to change anything, even after you have proven the error or theft.

One preventative step is to frequently monitor your credit and bank accounts so you can quickly take action to prevent a small breach from becoming a major issue. There are three main credit reporting agencies: Equifax, Experian, and TransUnion. You can request a free credit report from each agency annually, see how at our website - <http://tinyurl.com/j7jx65b>.

Once discrepancies are found, you need to contact the credit agency(ies) right away to dispute the erroneous charges. Make sure all requests for information and all claims of error are put in writing and sent by certified mail, return receipt requested. This will help lay the groundwork for a lawsuit, should that become necessary. You will need to prove that you have done your due diligence every step of the way.

Keep in mind thieves don't only steal your wallet and drain your bank accounts. With today's technology, they are able to

open new lines of credit in your name or create a new identity using your social security number. They may call and pretend to be from your bank, saying that there has been suspicious activity and ask you to verify your information. Hackers have even attempted to break into retail and restaurant databases to steal your credit card information. Online retail stores are prone to this tactic, especially if they do not have a secure website.

Other methods include card skimmers on ATMs and gas pumps, or stealing your bills from the mailbox. Some thieves will peruse the obituaries and then take advantage of the Social Security Administration's Death Master File to get social security numbers.

It is not just your credit that you need to be worried about. Think about how often you hand over your children's information- at schools/daycares, doctor's offices, sports teams, camps, etc. If those files are not handled properly, your children's information could be stolen and misused.

If you find you have errors and/or fraud on your credit reports, contact us so we can assist you with the proper procedures to likely improve your outcome. Keep in mind, the credit reporting bureaus receive high volume of disputes and you want yours to be acted on favorably. You'll also want the information presented in such a way to proceed to court if necessary.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Ok, before everyone gets into the summer fare of fruit and grilling, I wanted to bring you a southern favorite – Hummingbird Cake or Doctor Bird Cake from the Caribbean. There's more fruit than flour and sugar, and even though I don't really care for pineapple – I love this cake! You'll need 3 cups all-purpose flour, 2 cups sugar, 1 tsp salt, 1 tsp baking soda, 1 tsp ground cinnamon, 3 large eggs, beaten, 1 ½ cups applesauce (or vegetable oil), 1 ½ tsp pure vanilla extract, 1 (8-ounce) un-drained can crushed pineapple, 2 cups chopped ripe bananas (with brown flecks on skin), 1 ½ cups chopped toasted pecans. You can stir or whisk this cake recipe- do not use electric mixer. Mix flour and the next 4 ingredients in a large bowl; add eggs and applesauce, stirring just until moistened. Stir in vanilla, pineapple, bananas, and 1 cup chopped toasted pecans. Butter & sugar 3-9 inch round pans. Spoon equal amounts of thick batter into pans and spread to edges and bake for 20-25 mins at 350°, or until cakes comes away from edges of pan. Cool completely before icing. Icing: Beat together-2 (8-oz) package softened cream cheese, 1 cup softened butter, 2 (16-oz) package sifted powdered sugar, 2 teaspoon pure vanilla extract. I like to put some of the extra pecans between the layers and on top of cake. Enjoy!

## On The Local Front

### WATERSIDE DISTRICT

To open Spring 2017 – what can we expect? What do we want to see there? Tearing down of the 1990s annex building began this month, making room for possible growth down the road and opening up more outdoor space. Interior walls and ceilings have been removed as well. You can see the inside here: <http://tinyurl.com/h9jgfrs>.

Many folks want all independent vendors inside, but Joe's Crab Shack already took the housing authority to court and won the right to operate when Waterside reopens with a newly signed lease. Several people have posted on social media that a Waterside with franchise businesses is not what they feel the attraction should be and they won't make that trip to visit it, if that's the outcome of the renovations.

The Cordish Companies have announced the new name will be Waterside District. They plan to have live bands, a roof top deck, best-in-class local and national restaurants, and a craft brewery with entertainment and above all, to be family-friendly. With the increase of residential buildings located within walking distance that have been built over the last 10 years, there should be more foot traffic than the original opening of Waterside encountered. Many folks hope that the \$40 million dollar overhaul will bring back at least some of their favorite memories of the original site.... Ding-Ding! Fudge anyone?

## Family Corner



Kellam with Radlyn Mendoza and John Gardner at the Virginia Tech Show in Richmond last month. Radlyn and John are fellow Tidewater attorneys with whom we meet with once a month to talk marketing, law, and business growth. Kellam, our own tech guru, is co-chair of the Virginia State Bar Tech Committee.



May 5th was a special Cinco De Mayo for this crew....Ambir, Deb, Kelly, Jackie, Allison and Lia all walked a fast 5k, in the rain and chill for true camaraderie! Everyone finished in less than an hour, with Allison running ahead across the finish line.



Need to understand the LATCH anchoring system for car seats? Car manufacturers only guarantee that the lower anchors will hold up to 65 pounds, but this weight limit must include the car seat itself. The weight of the car seat will now be listed on the tag. Weigh your child and any older car seat. If the combined total is more than 65 pounds, your child needs to upgrade to the next car seat. More information can be found at <http://tinyurl.com/hjxv4uu>.

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## INSIDE THIS ISSUE:

- Waterside District
- Spotify
- Hummingbird Cake
- Credit Reporting Fraud

## Tech Tip:

This month is a niche month, diving into a particular music service, Spotify. I listen to music throughout the day and from the beginning of streaming services used Rhapsody as my paid service and sometimes Pandora's free offering. I recently switched to Spotify and love it. I want to share a few tips for the service if you are a user now (and if not, switch!):

- Explore - Every Monday, Spotify will add 30 songs to the "Discover Weekly" playlist that are selected by Spotify's algorithms based on your listening habits. You can explore new artists and/or songs and save them for later (as that list will be refreshed each week). You can also use Spotify Radio, which lets you thumb-up or thumb-down music like Pandora, with thumb-ups being added to a "Liked from Radio" playlist for later exploration.
- Portability - You can access your personalized Spotify on your mobile devices, as well as through any browser. So, even if you

are at a random computer, you can log into your account and have access to your own playlists

- Running - Not only will Spotify create a soundtrack for a run, it uses your device's accelerometer to detect your pace and chose songs accordingly. Just search for "Running" and follow instructions to your tastes.
- Search Smarter - You can exclude certain artists from searches if there are collaborations you want to avoid or artists to skip. Just type - "[song name]" NOT ["artist"] and include the parentheses. You can also do the same to find collaborations with AND. You can replace NOT and AND with "+" and "-" if you want.
- Lyrics - No need to go to an external website or App. At the bottom of Spotify, to the right of the progress bar is a link to see the Lyrics of the current song.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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April 2016 Newsletter | VOLUME 5 - ISSUE 4 | [www.pzlaw.com](http://www.pzlaw.com)

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## IN THIS ISSUE:

- Military Divorce Myths
- Yeast Rolls
- Quick access tools and MS OneNote
- Can you wiggle your ears?



## *Car Accidents*



People often think severe and/or permanent bodily injury only occurs in high-speed or dramatic accidents. This is simply not the case. Your body is not constructed for impact like metal and plastic car parts. Even at 20 mph, there will be a suddenness of movement and force (think falling off a one-story building) that can tear ligaments and muscle fibers. While you have some protection from the seat; your neck, head, and upper body are prone to injuries from the sudden movements caused by impact. This is why you never state you are not hurt after an accident - you may not begin to feel pain until days later.



**Brandon's Brief:** This time of year many folks are thinking of warmer weather, summer camps, and planning vacations. While we too have those various thoughts, the summer schedule for children can be a source of conflict among parents. As we are known for handling domestic cases, I want to suggest that the best way to avoid costly visitation issues is to keep communications between co-parents clear and concise and to always put the needs of your children first. Please remember to not involve the children in any disputes with your co-parent.

If you need to deviate from a previous agreement, it is best to have the new arrangement in writing; an email is sufficient. Keeping track of the changing agreements can either prevent future court actions or greatly reduce its cost. If you have any questions as to what changes are permissible, please call us before you commit to those changes. A simple phone call can save you many hours of aggravation and thousands of dollars.

*Brandon*



## *Did you know?*

Only 15% of people have the ability to wiggle their ears? Everyone is born with the ability, but if you don't learn how when you are young, the muscles atrophy and you lose it. It's believed that our ancestors were able to turn their ears in the direction of sound in order to help anticipate attacks from predators, but we lost this ability as we started living in groups.



*"The person who says it cannot be done should not interrupt the person who is doing it."*

*– Chinese Proverb*

## FIVE MYTHS ABOUT MILITARY DIVORCES

### 1. Military Spouses will not receive custody.

**False.** While deployment creates unique child care issues, it does not, in itself, prevent the military spouse from being awarded primary physical custody of minor children. In 2008, Virginia enacted the Virginia Military Parents Equal Protection Act which addresses many of the concerns of deploying parents and how to handle temporary custody changes. <http://tinyurl.com/jmn4hsc>

### 2. The Military will make sure support is paid regularly.

**False.** The military defers to civilian courts for support matters, though each branch has its own administrative rules on how to handle such issues absent a court order (ranging from basically "hands off" to elaborate procedures). The military can discipline a service member for failing to adequately provide for the family. The non-military party must have an order from a court to ensure there is recourse for non-payment of support. With such an order, one can request support be paid through military payroll deductions.

### 3. You must be married at least 10 years to a military member to receive part of his or her retirement benefits.

**False.** If you are married to a military member, you are entitled to a portion of his or her pension regardless of how long you have been married. The 10 year period is part of the military's "10/10/10" rule for direct payment by DFAS. If you have been married for 10 years, the military spouse has been in service for 10 years, and there is 10 years of overlap, then DFAS will pay you directly your portion of the military spouse's benefits (with the appropriate qualifying court order).

### 4. The Ex-Military Spouse will always lose health coverage and commissary benefits upon divorce.

**False.** The answer depends on the length of the marriage. Similar to the 10/10/10 Rule - there is a 20/20/20 Rule for benefits. If you have been married for 20 years, the military spouse has been in service for 20 years, and there is 20 years of overlap, you are entitled to continued full commissary and exchange privileges, TRICARE coverage, and medical care at any military treatment facility. If there is 20 years of service with 15 years overlap, then you are entitled to one year of medical benefits post-divorce. Beyond this one year and for spouses that do not meet the 15 year requirement, you may be entitled to pay for coverage under the Continued Health Care Benefit Program (CHCBP) if certain criteria are met.

### 5. Getting a divorce is easier and cheaper in a foreign country and valid in the US

**Yes and No.** It is usually cheaper and quicker to obtain; however, there are numerous and significant potential issues with such divorces. If neither party is domiciled in that country, the action would be invalid. The divorce may be shielded from attack on various equity grounds, but you do not want to be in the position of defending your divorce's validity. The old adage still applies - "If it seems too good to be true, it is."

Not only is our office located in Virginia Beach, but most of us were born and raised in Tidewater growing up side by side military families. This, coupled with our law experience with Military Divorce issues, is an advantage in these types of cases.



## Deb Dishes:

My daughter-in-law Courtney spoiled me recently with these delicious homemade yeast rolls. Thankfully she made the entire batch as written so we had plenty to enjoy! We had them hot out of the oven with dinner, then toasted with butter and honey for breakfast, then toasted with cheese for lunch. Ingredients: 3 c of milk, 1 c warm water, 2 Tbsp. sugar, 2 Tbsp. yeast, 3/4 c sugar, 1 1/2 Tbsp. salt, 1/2 c butter-cut up, 8-10 c flour, Butter/shortening/oil – pick 1 to grease hands. Scald milk in microwave for 5 mins on high. In tall glass place warm water, 2 Tbsp sugar and yeast. Rise 5 mins. In large bowl put 3/4 c sugar, salt and cut up butter. Pour scaled milk in bowl. When mixture is very warm, but not hot, place yeast mixture in bowl and stir. Mix flour (I use 10 c). Knead and place bowl in warm place to rise, 20 mins covered with towel. Grab full handful of dough (grease hands so dough releases) and shape into balls, will fall into mounds when placed on greased cookie sheet. Cover and let rise 20 mins. Bake at 350 until golden (20-25 mins). Get the butter and honey & enjoy!

This, and many other recipes are in our website library, come check them out.

## On The Local Front

### FOOD BANK OF SOUTH HAMPTON ROADS

Our firm recently participated in the 10th Annual "Legal Food Frenzy" to assist the food bank. We not only ran a donation campaign, but we sent a challenge to all our clients to pay their invoices by the 15th and Parks Zeigler, PLLC would donate \$10. Thanks to all the good folks we know and work for, we have collected a total of \$781 in donations and approximately 25 pounds of food.

Did you know that over 982,000 people in Virginia are considered "food insecure" and fall below the poverty level? In fact, approximately 167,540 of those people live right here in Hampton Roads. That means 13.8% of Hampton Roads residents don't have enough food to eat - and some may be your neighbors, friends, family and co-workers without you even knowing it.

Thanks to the Food Bank of South Hampton Roads and their tremendous network, they are able to provide food for hundreds of thousands of individuals annually. While those numbers are amazing, census and poverty data shows there are far more mouths to feed.

Every Friday, your local Foodbank facility, at 800 Tidewater Drive in Norfolk, serves as a food pantry distributing healthy, nutritious meals (including protein, fresh produce and nonperishable items). On April 8th alone, they distributed to over 166 households. There are not many charitable opportunities where 96% of your donation goes directly to the cause.

Check out their website and meet Hungry Kate: <http://www.foodbankonline.org/>

## Family Corner



Mia, Maxwell, Grams (Deb) and Bryant after making bunny bum cupcakes while in Indianapolis. Scottie was napping off a slight fever during the fun pictured here. They enjoyed the Zoo, the Children's Museum, The Park, and especially the backyard trampoline during their short stay.



Jackie's father Jim Michael and husband Glenn made sausage during their most recent trip to PA. Deb can attest to how much better it tastes over store bought! They make pounds of the meat mixture as well as links seen here.

*We welcome your referrals!*

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Have you been turned down for a job after having a great interview and wondered why? Did you allow them to pull your credit report? It's not your score that they are interested in, but rather what is being reported. Items like late payments are perceived as a lack of your responsibility level. Pull your reports annually to review what's on your list and then consider how employers may interpret what they see. To get the form to request your reports, go to: <http://tinyurl.com/jmumfe3>.

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## INSIDE THIS ISSUE:

- Military Divorce Myths
- Yeast Rolls
- Quick access tools and Microsoft OneNote
- Can you wiggle your ears?

## Tech Tip:

Lia here with this month's tech tips! Admittedly, I am a very unlikely candidate for filling Kellam's tech shoes; however, following our last bi-monthly staff meeting where we addressed efficiency and productivity, I asked if I could share some of my everyday tips and tricks that help me work faster and smarter.

In the Microsoft Office Suite of programs there is a "Quick Access Tool Bar" at the top left hand corner of your screen, accessible from the drop down menu. You can add shortcuts for various commands such as new document, save, print, etc. If you select "more commands" near the bottom of this drop down menu, you can choose from what seems to be a never ending list of commands.

In Adobe Acrobat Pro DC users can customize quick tools to include those used daily as well. Just under the tab showing the name of the document are a few buttons that come standard (print, save, search, page number, viewing commands, etc.) You can customize this bar by right clicking on the bar and selecting customize

quick tools. From there, multiple categories populate and you can page through each to add quick buttons for the tools you use most.

As one final tip, I'd like to share with you my new favorite tool I "discovered" upon our IT professional's insistence that I stop using sticky notes in favor of something more sophisticated. Enter OneNote. OneNote is a digital, cloud-based notebook. It allows you to take notes in various digital formats (text, audio files, screen shots, photographs, you name it), share those notes across multiple devices, and automatically saves them for you to access and even share with others later. OneNote allows you to have multiple "notebooks" (i.e. Work, Home, School, etc.); each notebook can have multiple sections, then multiple pages under each section.

After some initial hesitation in changing my ways, I tried it out and there's been no going back since. After a 5 minute crash course, Deb even uses OneNote on her desktop, cell phone and laptop now!

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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March 2016 Newsletter | VOLUME 5 - ISSUE 3 | [www.pzlaw.com](http://www.pzlaw.com)

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## Errors on your credit report?



## JOIN ME April 9<sup>TH</sup>!

Presenting "Fraud Prevention/Credit Report Errors"  
by Kellam T. Parks

*Free educational seminar and materials*

April 9<sup>th</sup>, 2016, 10:00am – 11:00 am

RSVP to reserve your spot:

[JLeitzel@pzlaw.com](mailto:JLeitzel@pzlaw.com) or 757-426-4526

Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**



**Kellam's Corner:** Hard to believe that this month marks a year of the addition of Brandon to the firm and the accompanying name change to Parks Zeigler, PLLC. We've come a long way since the founding of the firm in January, 2012 with just myself and Deb. We're currently at four attorneys and six full-time staff and are actively looking for a part-time marketing person to help Deb with our needs - a five-fold increase in a little over four years. We're excited about the opportunities the future brings and how Parks Zeigler, PLLC can help our clients.

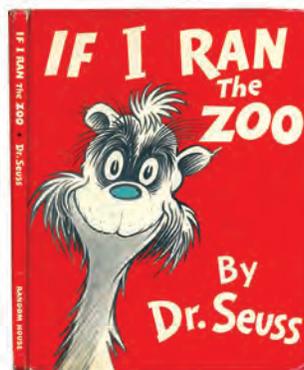
On the personal front, Avery is narrowing her college choices and wrapping up her senior year of High School, while Kelly is finishing her last year teaching at W.H. Taylor Elementary in Norfolk. Kelly is looking forward to retirement from the school system and exploring new opportunities. Life is certainly never dull!

*Kellam*

## *Personal Injury*



When children get injured in an auto accident, Virginia law has safeguards to protect their best interests. One example is that the statute of limitations does not end until their twentieth birthday. The exception to this rule is a legally emancipated child, who has the standard two year period in which to file an injury claim. Virginia is one of the few states to still recognize "contributory negligence," and it is important to know how this concept applies to children.



## *Did you know?*

The word "nerd" was first coined by Dr. Seuss in 1950 in his book "If I Ran the Zoo." Dr. Seuss' children's books are so influential that his birthday, March 2, has become National Read Across America Day." From there to here, from here to there, funny things are everywhere."



*"Don't educate your children to be rich. Educate them to be happy, so they know the value of things, not the price."*

*— Unknown*

## TAX TIME SCAMS

You've been hearing for years how people are delayed or denied their income tax refunds due to false returns filed under their social security number, a crime that resulted in the IRS paying out \$5.8 billion in false returns in 2013. This crime continues to rise yearly. The IRS reports it has many stringent procedures in place this tax season. This time of year especially, it is important to be aware of all the other scams that exist for thieves attempting to gather your personal information. The IRS has actually compiled a list of the "Dirty Dozen" scams to watch out for at tax time to help educate the public. Here's a brief overview of those scams:

- Aggressive phone calls threatening arrest, deportation and other acts to scare victims into paying false debts. The IRS is not going to make such a call to you.
- Phishing, in the form of fake emails or websites, by crooks looking to steal your personal information to set up credit cards and loans under your name and ID. The IRS will not email you about a bill or your refund.
- Of the 60% of Americans who utilize a tax return preparer service, most will be through an honest business. Be wary of fly by night quick shop set ups at this time of year. Research the company before giving anyone your personal information. Check this site for more information: <https://www.irs.gov/Tax-Professionals/Choosing-a-Tax-Professional>. Never sign a

blank return and always take a copy of the return you sign, when you sign it.

- With the recent prosecutions and stricter enforcement of tax evasion laws, don't believe anyone trying to "save" you from taxes by hiding money offshore. You could be victim of a scam and be out that money or prosecuted for tax evasion. Either way, you lose.
- Don't be sucked in by the promise of a bigger return and don't agree for the preparer to take a percentage of your return. They could file false information to increase your refund and their take. Falsifying information on your return can land you in serious legal trouble. You never want to file fake or altered forms or documents. Taxpayers are legally responsible for what is on their returns, regardless of who prepares them.

There are multiple scams that exist to take your tax refund prior to you even receiving it and to glean your personal information. These scams can be used by criminals to gain access to your accounts, or even create new ones, that could potentially result in the appearance of inaccurate and/or derogatory marks on your credit reports. Be diligent when protecting your information. If you find you do have errors or fraudulent information on your credit reports, please contact us. We can help you learn your rights and educate you on the proper process to despite such errors.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

This month I'm going to ask you for food...the 10th Annual "Legal Food Frenzy" begins soon. Per the Foodbank of Southeastern Virginia and the Eastern Shore; "[o]ver 1 million Virginians are now considered 'food insecure,' meaning they do not know from where their next meal is coming. To bring those numbers close to home, a recent study by Feeding America indicated 30% of our food bank clientele were children, 8% elderly, 34% households with at least one employed adult, and 14% were homeless. The Foodbank of Southeastern Virginia and the Eastern Shore serves our communities through programs like the Kids Cafe® and Back Pack programs, mobile pantries, and individual household distribution."

The race begins April 4th and runs through April 15th. Once started, we will post a link on our website and Facebook page (and other social media) that you can access to make financial donations, helping the PZ Team help our community! Or better yet, bring over some canned goods or spare change to the office and we promise you candy, hugs and a big ole thank you with smiling faces...okay, most of us will smile for you. Come show your support for your community and your friends at PZ Law!

## On The Local Front

### LOCAL BUSINESS SPOTLIGHT



As a new section that we'll periodically run in our newsletter, we will be featuring a local business or business person that stands out from their competition. This month the spotlight is on Eric Bartok and the Bartok, Campbell, Lindner & Earl Group with Merrill Lynch Wealth Management.

Eric is Managing Director for Wealth Management and specializes in formulating wealth building strategies for high-net-worth

individuals, families, and their businesses. He graduated from the University of Toledo with a B.S. in Management with a Concentration in Finance. He has since completed and holds the Certified Investment Management Analyst® (CIMA®) designation awarded by the IMCA and taught in conjunction with the Wharton School, University of Pennsylvania. When not looking out for his clients, Eric is an active volunteer for Junior Achievement and the United Way. He and his four daughters live in Virginia Beach.

We got to know Eric when he became a client of the firm and we chose his group to manage Parks Zeigler PLLC's 401(k) which we offer to our employees. The knowledge provided and the level of customer service has been outstanding. We're happy to feature Eric and his team this month and recommend contacting them for your financial planning needs. He can be reached at (757) 314-4900 or eric\_bartok@ml.com.

## Family Corner



The Zeigler family enjoyed ATVs, horseback riding, zip lining, waterslides through the jungle, volcanic mud baths, swimming in volcanic hot springs and tasty Costa Rican fare during Noah's Spring break.



Grant and Lia (along with her parents) visited our Nation's Capital for Grant's 7th birthday in February. Grant had a wonderful time visiting the Lincoln Memorial just before President's Day; even though temperatures were well below freezing!



In order to maintain a divorce action in Virginia, you or your spouse must be both a resident of, and be domiciled in, Virginia for six months prior to filing for divorce. "Residency" is merely where someone lives, whereas "Domicile" is presence plus an intention to live there permanently or at least for an indefinite period of time. With so many military service members in the area it is important to point out that Virginia has enacted a statute stating that if a service member is stationed in Virginia or has resided in Virginia for the six-month period, presumptively the residency and domiciliary requirements are met.

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## INSIDE THIS ISSUE:

- Tax Time Scams
- Wealth Management
- Chrome Tips

## Tech Tip:

This month I'm sharing some of my favorite tips for the Chrome browser (my preferred internet browser).

- Quick Viewing of Media – You can drag most types of media (pictures, sound files, etc.) to your Chrome browser to quickly view and the location of the file in your system will be in the address bar at the top (called the “omnibox”)
- Open Accidentally Closed Tabs – Happens to me all the time, nice to know that all you have to do is hit Control-Shift-T and the most recently closed Tab will reopen. Keep hitting to keep going back in time.
- Open a Search in a New Tab – If you enter a search in the omnibox and hit Enter, you will go to the site, but you will move from

whatever page you are on. If you want to open a new tab with that search, just hit Alt and then Enter for new tab.

- Open Specific Pages at Start of Browser - It is easy to set Chrome to open whatever your usual pages are upon starting. Go to Settings>On Startup>Open a specific page or set of pages>Set Pages. You can manually enter them, or even better, just have whatever pages you want already open and hit “Use Current Pages.” Next time you start Chrome, all of those pages will open automatically. Mine starts up with my music site, a few email accounts, and my practice management system (several tabs). Saves a LOT of hassle.

There are a lot of useful features crammed into Chrome, don't be afraid to explore and search more useful tips on Google.

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## Errors on your credit report?



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April 9<sup>th</sup>, 2016, 10:00am – 11:00 am

RSVP to reserve your spot:

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Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**



**Brandon's Brief:** It may be winter, but this is Virginia so no need to put away your flip flops and shorts, ever. We have had a few brisk cold days, and I'm sure some of you have gone to Wintergreen or Snow Shoe to play in the snow. That's one of the great things about living in Virginia – mountains to the ocean in the same day. My family is looking forward to heading way south to enjoy much warmer weather for Noah's upcoming spring break.

The firm is busy and enjoying a good start in 2016. Most of our clients know us for our success with family law issues, but we want to remind everyone that we offer other legal services as well. Anyone starting a new business, can find themselves in a legal quagmire if not handled properly from the start, so call us. We can also assist you or your business if sued, if you are injured in a vehicle accident or find you have errors on your credit reports.

We welcome the opportunity to work with you and hope for an early spring.

*Brandon*

## *Personal Injury*



More banks are issuing EMV (chip-and-pin) for use here in the United States. This is great news, as they reduce the risk of thieves stealing your information using skimmers. EMV cards encrypt the transaction data in a different way each time it's used and require a pin number to complete the transaction. If your credit card company has not issued this newer chip card to you, call to find when they will begin.



## *Did you know?*

Green used to be considered bad luck in Ireland because it's the leprechauns' favorite color and wearing too much green might offend them. In retaliation, they would cause trouble for you. It wasn't until the mid-20th century that wearing green became associated with good luck on St. Patrick's Day.



*"Surround yourself with people who take their work seriously, but not themselves, those who work hard and play hard."*

*— Colin Powell*

## **MAKING A CLAIM AFTER AN AUTOMOBILE ACCIDENT**

With our crazy, unpredictable weather, it's important to not only drive safe, but be prepared should you be involved in an accident. Here are a few facts to consider concerning a personal injury claim after an automobile accident:

Virginia Law requires you to (1) carry minimum auto insurance of \$25,000 in bodily injury for the injury or death of one person and \$50,000 for injury or death of two or more people or (2) pay a \$500 a year uninsured motor vehicle fee and not have insurance. Either option is inadequate - it is important for you to have insurance and carry more than the minimum to cover any accident that may be your fault, but also to carry more than the minimum for underinsurance/uninsured coverage.

This second type of coverage is for cases where the at-fault person does not have enough insurance. If this is the case, then your insurance coverage will kick in to cover your damages. Exactly how much insurance to have is a personal choice, based on what you can afford and your assets. The more you have to lose from a lawsuit (because you can be made to pay any overage in damages), the more you should have in insurance. At a minimum we recommend at least \$100,000 in single coverage, but encourage more if feasible. You will find the premiums are not that much higher. You may also want to investigate getting an "umbrella" policy, which is a cheap insurance policy that only comes into play if your other insurance is exhausted - think of it as a safety net.

Most injury claims do not take years to settle, assuming your treatment is finished. Once all of your damages are known either a demand can be made to attempt to settle, or a lawsuit can be filed. A demand is usually the preferred method; however, sometimes, depending on the insurance company involved or the type of case, a lawsuit is the initiating event. There are a lot of considerations in personal injury matters and you should expect your attorney and their staff to stay on top of the matter, notifying you along the way.

The purpose of a settlement or lawsuit is to recover monies to compensate you for your losses due to the accident. There are several types of potential compensable damages, the usual of which being loss of income, medical treatment (both incurred and possibly future treatment if any of your injuries are permanent), pain & suffering, and even potentially mileage due to travel for your treatment.

When you are injured, it is important to consult with an experienced attorney to properly evaluate your situation and help guide you through what is often a traumatic event. You should be able to focus on recovering from your injuries and not dealing with insurance companies and worrying about the financial aspects associated with being injured.

Please call us if you have been injured in an auto accident and want your claim evaluated.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Ever since I had the lettuce wraps at The Yard House, I have been craving them. I've tried several versions and found the filling varies from place to place just enough to be interesting. I recently went to Peter Chang Express on Virginia Beach Boulevard, which is a must-try with your eating out adventures. The locational surroundings are not aesthetically pleasing, but the inside is clean, service is wonderful, and the food is the best Szechwan I have ever tasted! They have Dim Sum on the weekends and I understand that the more traditional Chinese dishes are growing in popularity. I like that the food is fresh, spicy to my liking and craftily presented. Peter Chang was, at one time, the Chef to Chinese President Hu Jintao and the chef at the Chinese Embassy in DC. How fortunate for us to have him here in Virginia Beach cooking for us. Ok, so now to make these lettuce wraps at home. I found five recipes that I thought would be comparable to what I was looking for. I like the crunch of pine nuts, water chestnuts or cashews, not a fan of mushrooms and did not like adding cilantro, mango or basil to this particular dish. You can find my recipe for this diced chicken on our website with many other favorite dishes. Just go to <http://www.pzlaw.com/library/recipes/>.

## On The Local Front

### DID YOU KNOW?

What unique places are around us that you may not be aware of?

Camp Perry, on the York River, near Williamsburg was originally built in 1942 for the training of Seabees, during WW II. When the US captured German POWs at sea, thought to be dead, they needed to keep them a secret and did so at Camp Perry. Eventually the camp became known as the "The Farm", a training camp for the CIA. But do not plan on a day tour anytime soon, without proper security clearance, you will not be allowed within the parameter.

A detailed uniformed replica of Sgt. William H. Carney is set on a pedestal overlooking Norfolk's Elmwood Cemetery. He was the first black man to ever receive the Medal of Honor for his valiant perseverance in the Civil War battle at Fort Wagner in South Carolina. This honorary statue overlooks the tombstones of black soldiers who served in the Civil and the Spanish-American Wars.

Norfolk Native stock car racer, Joe Weatherly, not only has clam to a winning race record (1962 & 1963 NASCAR'S Grand National), but also a unique tombstone. The California Riverside race track (closed in 1989) where he died, is forever carved in the marble tombstone, with his racing number 8 chiseled into turn 6. He is buried at Norfolk's Forest Lawn Cemetery.

## Family Corner



Jackie recently went to Australia and brought back many wonderful photos. Here are Kelly Shepherd & Jackie close to the top of the Sydney Harbor Bridge, very windy, with the Opera House in the back drop.



Deb had great news from her son Paul. After sacrificing Christmas time with Deb and studying all break long - he passed the Dental Boards! Here he is with Mia, Scottie and a thumb's up from Max.

## Family Law:

All too frequently we see signed settlement agreements which are unfair to one party, but have been signed by all parties before seeking legal advice. As with any contract, be cautious when putting terms in writing with your spouse during separation proceedings. Make sure you understand the long-term implications of each decision. This is why having an experienced attorney is necessary. Your attorney will explain what is legally sound and look to your best interest so that you know exactly what is expected of you.



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## INSIDE THIS ISSUE:

- Review Your Auto Insurance
- Why Amazon Prime
- Australia Heights

## *Tech Tip:*

This month I'm discussing Amazon Prime's Video Service. Many people have Amazon Prime for the free shipping of products, but may not know what the included video service offers:

**Download for Portable Viewing** - Amazon Prime Video allows downloading anything you can stream. Hit the download button next to the item you'd like to download and take it with you. Not everything is available due to content agreements with providers and the time period to view varies, but it is still a feature the other streaming services do not provide.

**Membership Sharing** - Although more limited than it once was you can share your membership benefits with one adult (at one time was four). To do this, set up a "Household" and then "Add an Adult" under "Setup your Household now."

**X-Ray** - Amazon owns IMDb and uses that information in X-ray, which is a feature that streams info about the actors, filmmakers, music, and other trivia in each scene. There are various ways to access the data depending on the platform you are using to watch, so Google it to see what works for you.

**Add-On Content** - Amazon has additional premium content for subscription fees - (a) Showtime (\$9/mo.); (b) Starz (\$9/mo.); (c) Comedy Central (\$4/mo.); or other niche services like documentaries and foreign content

**Parental Controls** - You can set a five-digit PIN to prevent anyone without the code from accessing certain rating categories (or making un-authorized purchases). Go to Video Settings, create a PIN under "Parental Controls" and then alter the Purchase and Viewing restrictions.

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**Kellam's Corner:** Welcome to 2016! The Parks family celebrated Avery's 18th birthday in December with a trip to Disney World, which was amazing. We're finishing up auditions to college dance programs and starting to focus on top choices for Avery come the Fall. Hard to believe she's graduating this year!

As for the firm, this marks the beginning of year five for the firm, having grown and become Parks Zeigler, PLLC in March, 2015. We're up to four lawyers and seven staff to assist our clients with their legal needs, continuing to focus on family law, credit errors/identity theft, personal injury, and with the addition of Brandon, all aspects of assisting small businesses from formation, contract review, addition of partners and leases.

We wish you the very best for 2016 and look forward to hearing from you this year.

*Kellam*

## *Personal Injury*



When children get injured in an auto accident, Virginia law has safeguards to protect their best interests. One example is the statute of limitations does not end until their twentieth birthday. The exception to this rule is a legally emancipated child, who has the standard two year period in which to file an injury claim. Virginia is one of the few states to still recognize "contributory negligence," and it is important to know how this concept applies to children. You can read more at <http://tiny.cc/y5wa8x>



## *Did you know?*

In The Middle Ages, young men and women drew names from a bowl to see who their valentines would be. They would wear the name on their sleeve for one week. Nowadays, to wear your heart on your sleeve means that it's easy for others to know how you are feeling.



*"Yesterday is gone, tomorrow has not yet come.  
We have only today, let us begin."*

*— Mother Teresa*

## MAKING THE MOST OF YOUR CREDIT

Credit scores are utilized by prospective employers, leasing companies, and lenders alike. They help lenders gauge a borrower's likelihood of responsibly repaying debt. Since there are numerous lenders and loan products, there are many credit score factors.

There are three major Credit Reporting Agencies (CRAs) – TransUnion, Equifax and Experian. Some of the most commonly used and weighted components to a credit score are your payment history (do you pay on time), credit utilization (what % of available credit is used), length of credit history (how long have you had these accounts), and new credit and credit type mix (loans, credit cards, etc.). These factors are all combined to build your credit scores. You may wonder why your scores are not the same from one CRA to another. Each of these companies may have slight variances in how they score and/or weight the components.

For example, a home mortgage lender will be more interested in a consumer's history of repaying loans rather than credit cards, resulting in the lender picking a scoring model which puts less weight on credit card payment history. Because lenders need to have good predictive capabilities, some CRAs offer different options based on the lender's product or a lender may opt to order a custom formula.

With every tweak, your score alters. There is also the possibility of fraud and/or errors on your reports that can severely lower your scores. There is no need to be overly concerned over why Experian says you have a score of 740 and Equifax says you have a score of 755; rather, the focus should be on ensuring that the information on all three reports is 100% accurate. You should check all reports for name spellings, addresses, former employers, dates of accounts, payments showing late, duplicate reporting of the same debt by two different entities, and any balances written off as bad debt.

You are entitled to a free annual credit report from each of the three major reporting bureaus, so you should request, in writing, your free copies every 12 months. You can find the "Credit Report Request Form" in our website Library. <http://www.pzlaw.com/library/credit-reporting/>

Be sure to request to only have the last four of your social appear on the mailed reports to safeguard that information. If you find you have any errors and/or fraudulent activity, please feel free to contact us. We can explain your rights under Federal law as well as assist you in getting the correction(s) made. If necessary, we can file suit on your behalf and explain how the CRAs may be required to compensate you and even be responsible for your attorney fees and costs for the lawsuit.

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## Deb Dishes:

Whoopie Pies.....not to be confused with the small delicate macron craze. We're talking two mounds of baked goodness, in any variety of flavors, sandwiching a sweet creamy frosting between them. It's the state treat for Maine, complete with Whoopie Pie festivals. I discovered that around Pittsburg these are actually marketed as "Gobbs," something unique to that area. This Southerner requires baked from scratch goodness, preferably from a recipe passed down through many generations. Ambir has shared her "Mimi's Whoopie Pies" with us, which comes from her grandfather's family who are from Maine. Per Ambir –"My Mimi's cookies are FAMOUS in the Virginia Beach Courthouse. She retired from the Circuit Court Judge's Office in 1999, and she kept everyone very well fed. In the 10 years that I worked there, I was asked for cookies at least once a week. In fact, I was told many times that it was the only reason that I was hired." As you can see from her picture, these are indeed homemade goodness! So gather your Crisco, sugar, flour, eggs and head on over to our website (<http://www.pzlaw.com/library/recipes/>) to get the full recipe. We're going to be treated to Jackie's pies next – so look for her recipe too! I'll try both and get back to ya'....

## On The Local Front

### LOCALLY GROWN FOOD

When it comes to locally grown food, Southeastern Virginia offers lots of options. Virginia is the largest seafood producer on America's Atlantic Coast and third in the nation. Virginia's watermen harvest over 50 commercially valuable species, including oysters, sea scallops, spot, striped bass, croaker, summer flounder, clams, and blue crabs. Virginia's agricultural production is one of the most diverse in the nation. Virginia fruit and vegetable products rank in the top 15 among all U.S. states. Virginia tomatoes rank 3rd, apples rank 6th, and grapes rank 7th. And let's not forget peanuts! Virginia's world-renowned peanuts are grown in Virginia's sandy soil, found in the Southeastern region where the climate is ideal for producing large peanuts that have outstanding flavor and crunchy texture.

#### Three reasons to buy local:

1. Taste and freshness - On average, food travels 1,500+ miles from farm, to store, to table. Food grown locally is fresher and tastes better than food harvested then shipped from other states or countries.
2. Supports the local economy –The Virginia Department of Agriculture and Consumer Services estimates that if every household in Virginia spent \$10 a week on local products we could add \$1.65 billion in revenue to our state economy.
3. You'll be healthier – If you know where your food comes from, how it is grown and harvested then you can make a more informed choice when selecting the quality of your food. You can ask a local farmer what, if any, pesticides they use, are hormones or antibiotics used, or if they use genetically modified seeds. The nation is becoming more aware of these factors and the trend to seek out healthier options is growing. We have many local farmer's markets and roadside stands and some local grocery chains are now carrying local farm goods inside their stores. When it comes to making food purchases, buying local is so easy in our area!

## Family Corner



Kelly, Avery, and Kellam enjoy one of the many holiday festivities that occur at Disney World each year. Avery turned 18 and celebrated her big kid self!



Deb's granddaughter, Miss Mia aka Princess Elsa, turned 4 last month. She has several princess dresses and red glittery Jessie (Toy Story) boots that she loves to wear daily!



## Family Law:

Custody of children is defined two ways in Virginia: Legal and Physical. In most cases parents are awarded joint legal custody, giving both parents a say in how the child is raised, even if the child primarily resides with just one parent. Physical custody, states which parent has actual physical care of the child. This is generally primary or shared, depending on the number of days with the non-custodial parent (and this can impact child support calculations). Go to <http://tiny.cc/kbxa8x> to learn more about Virginia child custody.

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## INSIDE THIS ISSUE:

- Staying on top of your Credit
- Locally Grown Food
- New Technology

## Tech Tip:

This month I'm highlighting a handful of cool new tech/gadgets coming out of the 2016 Consumer Electronics Show (CES), which wrapped up the beginning of the month.

- **Rollable Display** – LG has created a screen that can be rolled up like a newspaper and they are working on roll-up TVs for portability. No date on release, but I'd bet on 2017 or later.
- **Oculus Rift** – This Virtual Reality (VR) headset which was purchased by Facebook in 2014 finally came out with a release date and price (3/16 and \$599). A hefty price and there are other manufacturers jockeying for the VR space, so it will be interesting to see who becomes the market leader come later this year.
- **Samsung Family Hub Refrigerator** – Silly name aside, this new fridge has some amazing tech. It has a 21.5" vertical touchscreen panel

that covers nearly the entire upper right door. It is a smart device, so connects to the internet and has ambitions to share Amazon's AI assistant, Alexa, to allow for voice commands. Internal connected cameras takes photos of your groceries each time you close the door and it connects with an App so you can see if you need more milk, etc. You can also purchase food and ingredients from the App. The large screen allows you to display calendars and pictures. Starting price is \$5,000, so not cheap, but definitely cool.

- **Ili** – It is a wearable instant language translator. It is about the size of an Apple TV remote and you click a button, speak, and it then "speaks" what you said in the language programmed to the device you've chosen through a speaker (one language per device currently). Instant translation – pretty amazing. No date on release or pricing information yet.)

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**Brandon's Brief:** This time of year most messages focus on family. For us that is an interesting topic as we are known for handling many domestic cases; we are a family-oriented law firm, and we are not immune to repeating the holiday message.

For those who are dealing with ex-spouses or significant others with whom they have children, take time this season to ensure that the children are not placed between parents. Holiday time is especially hard on children where their parents are no longer together. Make sure all of your actions benefit the children. As a small business whose emphasis is on families, we try to balance the need to be available for our clients with the need to spend time at home. Hopefully we get that right. Lastly, look around and be thankful for those who care about and support you. Those friends and family are the true meaning of the season. Happy Holidays!

*Brandon*

## *Personal Injury*



During the holiday season it's especially important to be alert while driving in parking lots. Most people are so focused on finding a parking spot that they aren't watching what else is happening around them. Children in particular can be very difficult to see in a busy parking lot, especially at night. An excited child can jump out from between cars and in front of you in an instant. Exercise care and make it a happy and safe holiday season!



## *Did you know?*

On Christmas Eve in Norway, after enjoying a holiday dinner and opening presents, some families hide all the brooms in the house. Norwegians long ago believed that witches and mischievous spirits came out on Christmas Eve and would steal their brooms for riding.



*"When you change the way you look at things,  
the things you look at change."*

*– Dr. Wayne Dyer*

## MAKING CHANGES TO CUSTODY AND VISITATION AGREEMENTS

Custody involves the care, control, and maintenance of a child. A child's parents are both presumed to be the natural and appropriate custodians; however, the court may be asked to determine the custody of children in certain circumstances. The court makes a custody decision based on what is in the best interest of the child at issue. There are two types of custody:

**Legal custody** – Joint legal custody is when both parents retain responsibility for the care and control of the child and jointly share the authority to make decisions concerning the child, even though the child's primary residence may be with only one parent. Sole legal custody gives one parent the primary responsibility for all decisions regarding the child. This type of legal custody is only granted in relatively limited circumstances on a case by case basis.

**Physical custody** – Joint/shared physical custody is when both parents share physical and custodial care of the child. To attain true shared physical custody, each parent must have custody of the child for more than 90 days per year. Primary physical custody is an arrangement in which one parent is the main caretaker of the child the majority of the time and the non-custodial parent has less than 90 days of visitation per year.

When a parent does not have primary physical custody of a child, visitation is determined as to what is in the best interest of the child (the standard for both custody and visitation

determinations). If the parents cannot agree upon a visitation schedule, a judge can order a schedule to be put in place. This can include general visitation days as well as holidays, school breaks, summer, vacations, and other special occasions.

### ***What happens when child custody and/or visitation needs to be changed?***

After a final order establishing custody and/or visitation is entered by a court (whether in a divorce decree or in a lower court order), parents may agree to modify the custody or visitation terms. Any modification should be memorialized in a new order entered by the court, as there is no way to enforce any changes absent a new order. If the parties cannot agree to a change and one parent seeks court intervention to modify an existing order, a "substantial change in circumstances" must be shown before the best interests of the child are considered. This change in circumstance can be many things, such as a geographic move, a change in lifestyle, negative issues affecting the children, etc.

If you need to modify or establish a child custody and/or visitation order, it's wise to consult with an attorney specializing in family law. Our attorneys are experienced with these situations and will navigate the legal system with you to protect your relationship with your children and ensure their best interests are kept at heart.

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*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

Oh so Merry, Merry is me! Christmastime is finally here and I am stocked up on flour, sugar, butter, eggs, and other goodness ingredients. The bake-a-thons have begun and my family and friends are quite happy about that. Most of our best recipes can be found on our website at: <http://www.pzlaw.com/library/recipes/>. For easy quick and easy Gingerbread, take ½ c butter (room temp), ½ c sugar, 1 egg, 1 c molasses, 1.5 tsp baking soda, 1 tsp cinnamon, 1 tsp ginger, ½ tsp ground cloves, ½ tsp salt, 2.5 c flour, 1 c hot water. Preheat oven to 350°. Cream butter & sugar, beat in the egg and mix in molasses. Sift together the remaining dry ingredients. Blend into butter mixture. Stir in hot water. Pour into greased and sugared 9x9 pan. Bake 1 hour until knife inserted comes out clean. Cool in pan before cutting. Sift some powdered sugar or whipped topping on each slice when served. It smells so good when baking and I love it for breakfast. I also have a recipe for gingerbread cookies and gingerbread cream cheese bites on the firm's website. Don't forget to share your favorites so we can spotlight your tasty talents right here in our newsletter. Happy baking to all and to all good seasonings!

## On The Local Front

### TIDEWATER – HOME TO MANY “FIRSTS”

Most everyone knows the first colonists arrived on Cape Henry when English captain Christopher Newport's three ships; the Susan Constant, the Godspeed, and the Discovery arrived in April, 1607. But did you know that the Tidewater area is home to many other "firsts" in our nation's history?

- Tidewater was the first to establish free public schools in the United States. The Syms and Eaton free schools (later combined as Syms-Eaton Academy) were established in Hampton in 1634 and 1659 respectively. The Syms-Eaton Academy was later renamed Hampton Academy and in 1852 became part of the public school system, making it the oldest public school in the United States.

- The Hampton Roads Bridge-Tunnel was the longest trench-type tunnel in the world, when it opened in 1957. It was followed by the Chesapeake Bay Bridge-Tunnel in 1963, which is still considered one of the seven engineering wonders of the world.

- The United States military defense began here with soldiers accompanying the first settlers. Now we are home to nearly one-fourth of all military personnel from all five military forces and the only NATO command in the United States.

- The first peanuts grown in the United States were grown in Virginia.

- The first Thanksgiving in North America was held in Virginia in 1619.

- The first airplane to take off from a ship (the U.S.S. Birmingham) on Nov. 14, 1910.

- The first legislative assembly and system of justice maintained by courts and juries.

The list goes on.... Hampton Roads, Tidewater, Coastal Virginia; no matter how you refer to the region, we can all take pride in calling it "home" today.

## Family Corner



Kelly's family gathered for family time during Thanksgiving. Son Alex, husband Tom, Kelly and younger son Andrew. They're looking forward to more together time over the holidays!



Ambir and her family visited Great Wolf Lodge and found Santa! Here's her husband Keith (kneeling), Wyatt (red shirt), Ryder (sitting next to Santa), The Big Guy, Walker and Ambir.



## Credit Reporting:

One of the most common errors that can show up on your credit reports is incorrect account details. The lender providing information about your account(s) to the credit bureaus provides misinformation, or possibly, the credit bureau could incorrectly enter account details. For example, a credit card could list the wrong credit limit, a mortgage may have an incorrect origination date, or an auto loan could appear open when it's been closed. Make sure to routinely check your credit reports and if you notice anything wrong, please give us a call. We may be able to assist in correcting your credit reporting errors.

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## INSIDE THIS ISSUE:

- Changes to Custody
- Tidewater, Home to Many First
- Windows 10 Tips

## Tech Tip:

Now that Windows 10 has been out for over four months, I wanted to provide some tips/tricks for the newest operating system:

- Privacy Settings – Be sure to choose “Custom Install” when upgrading or installing Windows 10 so that you can decline the various sharing defaults if you prefer not to open up your life to Microsoft. If you’ve already installed, you can change things in Settings [Start Menu>Settings>Privacy]
- Print to .pdf – Windows finally has a native ability to print to .pdf (really saving it as a .pdf). No need for third party software tweaks, just choose that option when “printing” and you can save a copy as a .pdf.
- Schedule Windows Updates – Instead of being interrupted by Windows Updates whenever a patch is pushed out, you can schedule when you want the updates to be applied (a restart). [Start

Menu>Settings>Updates and Recovery>Windows Update]. This can also be done for future updates by selecting “Notify to Schedule Restart.”

- Windows Explorer Home Tab and Quick Access – The file folder window is called “Windows Explorer” (not to be confused with Internet Explorer) and it now has a Home tab that cleans things up and helps with faster copying. The Quick Access group lets you quickly access recent folders to speed things along as well.
- Advanced Tip – For experienced users, you can easily create a special menu called “GodMode” that allows you to quickly access an advanced control panel. Simply create a new folder anywhere on your main drive and rename it as below, which will create a special icon that allows access:

GodMode.{ED7BA470-8E54-465E-825C-99712043E01C}.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

# STAYING *in Touch*

November 2015 Newsletter | VOLUME 4 - ISSUE 11 | [www.pzlaw.com](http://www.pzlaw.com)

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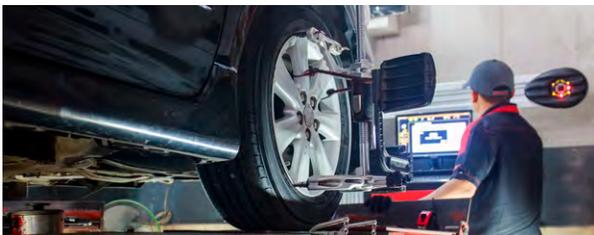
**Kellam's Corner** : We wish everyone a safe and wonderful Thanksgiving. The firm wouldn't be the success it is without the trust and support of all of you and we're thankful to have such good friends and clients – so Thank You from all of us here at Parks Zeigler, PLLC!

On the firm front, we're pleased to share that Allison and I were honored by Coastal Virginia Magazine as Top Lawyers for 2015. Our attorneys continue to do great work for our clients and in the community and it's an honor to receive recognition for our efforts.

Lastly, as the end of the year approaches, it is important to ensure that you have your ducks in a row for 2016, whether it be for your business or personally (as the holidays can bring up family law issues). Should you need any assistance, no matter the subject, please contact us so we can help.

*Kellam*

## *Avoiding Accidents*



One way to keep safer on the roads is to pay attention to vehicle manufacturer recalls and get your vehicle repaired as soon as you are aware of any recall. Check recalls for your vehicles on the NHTSA website @ <http://goo.gl/dGUzS>. It has the summary of the recall, the consequence, and the remedy. Also be sure to get your annual inspections and maintain your car to keep it in safe running condition.



## *Did you know?*

The National Turkey Federation has given a turkey to the White House every Thanksgiving since 1947...until 1989, when George H. Bush began the tradition of pardoning the White House turkey. Since then, nearly every president has chosen to grant pardons. Spared turkeys spend the rest of their days in the happiest place on earth: Disneyland.



*"The greatest glory in living lies not in never falling, but in rising every time we fall.."*

*— Nelson Mandela*

## THE STUDENT LOAN DEBT EPIDEMIC

***We're pleased to feature an article written by our friends at Hampton Roads Legal Services discussing student loans and options for when those loans are too great of a burden.***

The amount owed on student loans has surpassed 1 trillion dollars and over 40 million Americans have student loan debt. This is almost double the amount that Americans owed on credit cards in 2013 and is now second only to mortgage debt as the largest category of debt.

Every year the student loan debt increases, and students graduating in 2015 are carrying more student loans than any previous graduating class. Today over 70% of college graduates have student loan debts compared with less than 50% in 1995.

### **Types of Student Loans**

You can have Federal Student loans that are guaranteed by the Federal government. All Federal Student Loans are now made by the Department of Education and serviced by Navient or a collection agency such as Great Lakes or Melnet. If you have an older student loan, it may have issued by someone other than the Department of Education. There are also Perkins loans which are issued and serviced by the school. The final type of Federal Student loans are Parent Plus Loans.

The second type of student loans are private student loans. These are issued by companies other than the Department of Education. There are not any relief programs for private student loans. However, they do not have the collection authority that Federal Student Loans have. A private student loan cannot seize your tax refund and they must get a state court judgment against you to be able to garnish wages or bank accounts. There may be defenses to the collection actions taken by private student loan companies and, especially, collection

agencies collecting on private student loans.

### **If You Don't Pay Your Student Loans**

If you have Federal Student Loans, it is important that you get into a repayment program that you can afford. The agencies servicing Federal Student Loans have extreme collection powers. They can seize your tax refunds and garnish your wages without going through the state court. If they start a wage garnishment, there is no end date for the garnishment as there is for garnishments issued by state courts. In addition, the amount of your wages that they can garnish is higher than it is for a state court garnishment.

### **Repayment Plans**

There are several repayment options for Federal Student Loans. Based on your income and the size of your family, you could qualify for a substantially lower payment plan. This payment plan must be renewed every year and can be modified if your income or family size changes. Since the payments are based on your family size as reported to the IRS, there are also things that you can do to lower the amount of your payment based on the way you file your tax returns.

### **Hampton Roads Legal Services Can Help**

There are repayment plans available for Federal Student Loans that are based on your income. Attorney Edrie Pfeiffer at Hampton Roads Legal Services can assist you with evaluating your student loans, determine their current status and get you into the lowest possible payment plan. If your loans are currently in default, we will work on a plan to cure the default and get you on a repayment plan so your wages are not garnished and your tax refund is not taken.

Call 757-340-3100 to get your free fact sheet on Student Loans or to speak to Hampton Roads Legal Services about your issues.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

I am thankful for so many great food options in our lovely big world! I started thinking about how time is changing how people are cooking. Like how our gravy went from “turkey” to “chipotle” about 7 years ago. But here’s an old family recipe we never change, Date Loaf. You’ll need a heavy pot, a candy thermometer (or conduct a firm ball test), damp linen towels and at least one person with some arm strength, because it’s a workout! You will need 3 cups sugar, 2 TBS white Karo syrup, 1.5 cups whole milk, ¼ tsp salt, 1 cup chopped nuts, 1 TBS butter, 1 tsp pure vanilla, 1 pkg dates, chopped. Cook sugar, milk, syrup & salt on medium and stir until the mixture begins to boil. Add dates and stir. Continue to let boil until it reaches firm ball stage – 118° - 120° - remove from heat. Add butter, nuts and vanilla. Beat by hand until cool and with buttered hands roll into logs and place on damp cloth. Roll up and place in fridge until cooled. Once cooled, remove cloth roll, in powdered sugar, slice thinly. We store in a tin in the fridge, as we like it chilled. Once you make it, be prepared for everyone to ask for again and again! You’ll find this, and many other recipes on our website: [www.pzlaw.com/library/recipes](http://www.pzlaw.com/library/recipes).

## On The Local Front

### READING ENRICHES ALL CHILDREN - REACH

This month we’d like to take a moment to shine the spotlight on an organization in our community devoted to reversing illiteracy trends for at-risk youth ages three to seventeen. REACH was established in 1998 by Virginia Beach Educator Kristin Hildum after she noticed that some of her students did not recognize popular books such as Dr. Seuss or Curious George. She found that oftentimes, these students were living in homeless or domestic violence shelters. She began collecting books in her garage and reading to children in shelters.

The first program called “Read-Aloud Program,” was established with the Help and Emergency Response shelter. Today, REACH conducts Read Alouds with eleven partner organizations in Hampton Roads including Chesapeake, Norfolk, Portsmouth, Suffolk, Virginia Beach, Newport News, and Williamsburg. At each Read Aloud, volunteers read to the children and do a craft with them. Each child at the Read Aloud is provided with two new books to keep. In 2004, REACH also established the “REACH Reading Room” at the Portsmouth Children’s Museum. They strive to provide enough books so that each child who visits the museum may take home a book of their very own, free of charge. Last year, REACH impacted the literacy needs of 764 children living in homeless and domestic violence shelters, read 906 stories to these children and distributed over 17,000 books to at-risk youth through their Read Aloud and Growing Reader programs.

Our very own Allison Anders began doing Read Alouds as a volunteer in 2008, joining the Board of Directors in 2009, and has been the President of REACH since 2012.

If you are interested in being a REACH volunteer, please contact Leslie at [volunteer@reachreads.org](mailto:volunteer@reachreads.org) or by calling 627-4722. REACH also accepts tax deductible financial contributions and book donations.

## Family Corner



Jackie is thankful to be able to participate in several charity driven walk/runs. Here she is ready to participate with eight other “Divas”, in a recent 5k while in D.C.



Team Parks Zeigler, in our “homage to Steve Jobs” uniforms, placed 3rd in the REACH Bow-lathon to raise money for books. Parks Zeigler, PLLC was also a sponsor of the event. Allison, Kelly, Bryant, Deb, Beth, Jackie and Alex.



## Credit Reporting:

Have you been turned down for a job after having a great interview? Did you sign a release for review of your credit report? Most employers are not interested in your credit score, but rather what is being reported, such as late payments might be indicative of your overall responsibility level. You should always be aware of what is on your credit report and how it can affect your employment search. Any negative employment decision based on your credit report requires a disclosure by the employer under the Fair Credit Reporting Act.

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## INSIDE THIS ISSUE:

- REACH
- The Student Loan Debt Epidemic
- Holiday Shopping

## *Tech Tip:*

As I do every year, for the upcoming holidays I'm sharing my favorite online shopping places and tips.

The first place I check is [www.amazon.com](http://www.amazon.com). In addition to good prices, there are also usually great reviews. You should consider their Prime service to get free 2-day shipping and a host of other benefits (Prime Instant Video, Prime Music, unlimited photo storage in Amazon Cloud Drive, Prime Pantry, early access to deals, Kindle Owner's Lending Library, and you can even share the membership for up to 4 household members). For electronic purchases, I also check out [www.newegg.com](http://www.newegg.com), [www.tigerdirect.com](http://www.tigerdirect.com) and [www.rakuten.com](http://www.rakuten.com) (formerly Buy.com). These all have great selections and low prices.

To investigate electronic products, I always check out [www.cnet.com](http://www.cnet.com). They usually have some consideration of the product I am looking into and I have found them to be spot on. Another good

resource for in-depth reviews is [www.thewirecutter.com](http://www.thewirecutter.com).

When you have settled on a purchase, don't forget to check to see if there are any online coupons or discounts. More often than not, a discount code exists somewhere, especially for the more traditional retailers. Good sites to check are [www.retailmenot.com](http://www.retailmenot.com), [www.coupons.com](http://www.coupons.com), and [www.savings.com](http://www.savings.com).

Lastly, be sure to be safe when shopping online. Ensure that the site is secured (look for a padlock icon in the address bar and an "s" in the URL address ("Https:"). Consider using PayPal or another payment service so that the vendors don't have your credit card information.

I hope this information helps you save time, money, and keeps you safe when shopping this holiday season!

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***

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RSVP to reserve your spot:

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Open to the public and all sessions will be held at  
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**Brandon's Brief:** School is in full swing and the holidays are fast approaching. The extra emphasis on family this time of year helps give me pause to realize how lucky I am. I work with people I truly like and trust. I want to go home each day to see my family. My time with my son is special, even when we are discussing if his room is "clean enough." Watching him grow in school and as a person is exciting. He is playing baseball this year for the first time. His efforts and desire to do well is inspiring.

At work, the firm has gotten out of the hectic growth mode and things seem to be settling down into a routine which is nice for planning purposes. The interesting part now becomes how to grow what we have without losing its character. It is a challenge we readily accept. In December I move into the "president – elect" position for the Virginia Beach Bar Association. These volunteer positions are rewarding, but are very time consuming. I hope everyone has a peaceful fall and safe travels on the upcoming holidays.

*Brandon*

## *Avoiding Accidents*



It's Halloween again and time to be vigilant with making sure all children are seen while out on the streets to avoid accidents with vehicles. Children should have full vision if wearing any type of mask. Also use glow sticks or reflective tape on costumes to ensure drivers can see them as well. You want the night to be a fun event, so play it safe and avoid the unthinkable. Trick or Treat to all!



## *Did you know?*

Stephen Clarke holds the record for the world's fastest pumpkin carving time: 16.47 seconds, smashing his previous record of 24.03 seconds. The rules of the competition state that the pumpkin must weigh no less than 24 pounds and be carved with at least eyes, nose, ears, and a mouth.



*"I am not afraid of storms for I am learning how to sail my ship."*

*— Louisa May Alcott*

## PROTECTING YOUR NEW BUSINESS

There are many decisions that need to be made when starting a new business. One of the most important is one of the first you need to make; what will be the legal structure of your new endeavor? This choice will allow you to craft the appropriate operating documents before the business gains some momentum. You can also start tax planning from day one so you are not faced with any end of the year surprises. To decide what form, "S" or "C" Corp, limited liability, partnership, etc. you need to understand which will provide the best tax structure and consider liability issues associated with your specific business. This calls for you to consult with an experienced attorney and an accountant. These competent professionals will help you make the right decisions.

The next issue most new business owners think can be dealt with later is the drafting of their contract. Your contract is usually the first written document a client or vendor sees from your company. It should be professionally written, grammatically correct, and provide the necessary levels of protection to you based on your business. If there is ever a dispute between you and a client or vendor, your attorney will first ask for a copy of the contract. It is from this document that most disputes can be settled; if you did not spend the time and/or money establishing a solid draft of your contract from the beginning, you could be on the

losing side of your first contract disagreement.

Staffing and hiring is a landmine for business owners. What can you say or not say in an interview? When and how can you fire an employee? Do you need an employee handbook? If so, what should it cover? When are you large enough to be subject to federal equal opportunity and discrimination statutes? Do state statutes apply to you when the federal ones do not? Do you have to comply with both? All of these questions can be answered by your business attorney.

While answers to these questions, and the expense that goes along with those answers, might seem like something that can wait, it is not a wise business move to delay. Getting your business heading in the right direction from the start will save you more than just time in the future, it will likely save thousands in potential costs and attorney fees.

While starting your own business may seem daunting at times, if you put into place an experienced team of advisors in the beginning of the process, you will avoid many unnecessary headaches as you proceed forward in your endeavor. Success begins with proper planning.



### *Deb Dishes:*

Cheese Stuffed Meatballs. Having an Italian meal ready when I came home from work sounded good to me. I saw a Facebook post on this and had to try it. I did not write down the recipe, although you will find many online, I just made it my way. I had some thick lean hamburger patties and I used ¼ of the patty to make each meatball. I sprinkled each with a bit of garlic powder, a bit of Italian seasoning, and a bit of salt & pepper. Then I took a mozzarella cheese stick cut into ½ inch pieces and folded into the meatball. I layered some quality jarred sauce in the bottom of the crock, added meatballs and then poured rest of jar on top. Set on low and let it cook for 10 hours, which was maybe a tish too long. When I cut into the meatball there was not a gob of cheese oozing out, but when I ate the meatball I could taste and feel the cheesiness inside. It was a hit with my family too! The only problem was there was a pool of grease on top that I mopped out before serving. I will buy extremely lean beef next time, as we will be having this again.

### *On The Local Front*

#### WHAT'S IN A NAME, TIDEWATER?

Per Wikipedia, "...the Tidewater region of Virginia is the eastern portion of the Commonwealth of Virginia. The term tidewater may be correctly applied to all portions of any area, including Virginia, where the water level is affected by the tides.... In the case of Virginia, the tidewater region includes the land east of the Fall Line, the natural border with the Piedmont Region. It includes Hampton Roads, the rest of the Virginia Peninsula, the Middle Peninsula, the Northern Neck, and the Eastern Shore." So why is it referred to as Hampton Roads by anyone who came here after the 1980s? And what's this talk of changing to "Coastal Virginia" now? It seems that some folks decided they wanted to rename the area to not sound swampy and entice business development here. If you mention Hampton Roads to people outside our region, they may not even think of Virginia Beach or Norfolk, specifically, but rather Hampton and Newport News. Ask anyone born here and it's still Tidewater. Ask the thousands of military folks who once lived here before the late 80's and it's still Tidewater.

This past spring, News Channel 3 went on the boardwalk and asked people about the three names. Some people had never heard of "Tidewater," most did not know what exactly "Hampton Roads" was, but the majority liked the moniker "Coastal Virginia" and felt it best described the area.

While local organizations may or may not have a strong tie to any of these terms, Virginia Tourism Corporation thinks "Coastal Virginia" is brilliant marketing, letting people know where and what the region is. What do you think?

### *Family Corner*



Allison and Matt celebrating their son Connor's 3rd birthday party. Allison took full advantage of the party's pirate theme to dress up. Ar-gh!!!



Brandon & Anette hosted another successful all day Oktoberfest with family, friends, great food & drink. The kids had fun in the bounce house and many of us played corn hole. Brandon is quite the grill master!

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### *Credit Reporting Errors:*

Are you receiving medical bills, credit card statements, or loan notices under your name by mistake? Have you applied for a job, apartment, or credit card only to be told your score was too low and you know your credit history to be good? If so, you have probably become a victim of identity theft and/or credit reporting fraud and need to take immediate action. Our website has information that could help you sort through these issues: <http://tiny.cc/oenq4x>.

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## INSIDE THIS ISSUE:

- Starting a New Business
- Cheese Stuffed Meatballs
- Area Name Change, Again?

## Tech Tip:

October is Cyber Security Awareness Month and so this month I am going to focus on information and tips regarding online/mobile security. I recommend using my favorite password manager, LastPass ([www.lastpass.com](http://www.lastpass.com)). Whether you use a password manager or not, you must have strong, secure passwords. I suggest a passphrase that no one will ever be able to guess or crack, but is easily remembered by you (for instance - "My\_fav0rite\_m0vie\_is\_Star\_Wars"). You can test how "hackable" your passwords are here: <http://lp.roboform.com/cyber>. Another good resource is the National Cyber Security Alliance's website - <http://www.staysafeonline.org/>. This site has a ton of information for both individuals and businesses on how to be smart about online safety/privacy.

The newest danger is the "Internet of Things." This is the growing trend of everything being connected to the internet, from our mobile devices, to refrigerators and thermostats. 67% of U.S.

households have between 1 and 5 home devices connected to the internet. Ensure your home network is safe and be knowledgeable about what is connected.

I'll leave you with a few practical tips for any devices you own:

1. Be sure to set a passcode (and make it a real password or at least 6-digits)
2. Activate auto-lock so that your device is protected when you are not using it
3. Set a maximum allowable number of pass code attempts (so that the device is wiped if someone tries to hack it)
4. Consider installing a tracking app for locating your device if lost

Be smart about your online, home, and mobile security because those that would take advantage certainly are - better you than them!

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Virginia Beach, VA 23452.**



**KELLAM'S CORNER:** September marks back to school and by the look of Facebook, seems like the friends of the firm had a smooth transition - lots of great pictures. This year is Avery's senior year - the last back-to-school we'll have at the Parks' household and a bittersweet transition to be sure! We're busy looking at colleges with strong dance programs emphasizing choreography.

At the firm, we're settling in with our new additions and staying busy. I presented at two legal seminars this month focusing on technology's impact on the law and the ethical implications of modern technology, marketing, and social media. I was also published again last month in the Virginia State Bar's magazine, *Virginia Lawyer*. The article, "No Reason To Be Anti-Social (Media): What to Know and How to Act," discussed the use of social media by the legal community.

*Kellam*

## *Personal Injury*



We're happy to share we have successfully settled several personal injury cases recently and want to stress a few basic rules to follow after being in an accident. Seek medical attention if you are injured or think you may be injured; do not talk to the at-fault party's insurance company; take pictures at the scene; get information from any witnesses; and call an experienced attorney.



## *Did you know?*

Doritos were invented in Disneyland. In 1955 Elmer Doolin, the founder of Frito-Lay, opened a Mexican restaurant in Frontierland. One day a deliveryman noticed stale tortillas in the garbage and suggested frying them and selling them as chips instead of throwing them away. They were a big hit!



*"I have learned over the years that when one's mind is made up, this diminishes fear; knowing what must be done does away with fear."*

*— Rosa Parks*

## CREDIT FRAUD & IDENTITY THEFT

Credit card fraud and identity theft are still on the rise. According to the 2015 Javelin Strategy & Research Identify Fraud Study, there is an identity fraud victim every two seconds in the US. Even though Virginia changed laws involving identity theft by increasing the punishment if convicted, you will be stuck with damaged credit and the hassle of trying to repair that damage. It is not as easy as just calling the bank or credit card company and telling them there's a problem. It can take months or even years of effort to get the credit bureaus to change anything, even after you have proven the error or theft.

One preventative step is to frequently monitor your credit and bank accounts so you can take action quickly to prevent a small breach from becoming a major issue. There are three main credit reporting agencies: Equifax, Experian, and TransUnion. You can request a free credit report from each agency every 12 months. See how on our website <http://goo.gl/slj9Zj>. Should you need to report errors, make sure they are put in writing and sent by certified mail. This will help lay the groundwork for a lawsuit, should that become necessary. You will need to prove that you have done your due diligence every step of the way.

With the ever-increasing digital nature of our society, thieves are able to open new lines of credit in your name or create a new identity using your social security number and other personal information. Hackers are breaking into

databases to steal your credit card information on a regular basis. Online retail stores are prone to these hacks, especially if they do not have an up-to-date secure website. Sometimes dishonest cashiers will use skimmers or switch out your credit card for a fake card that looks like yours. Thieves will try to place card skimmers on ATMs and gas pumps or take your bills from the mailbox. Some thieves will peruse the obituaries and then take advantage of the Social Security Administration's Death Master File to get social security numbers. It is not just your credit that you need to be worried about. Think about how often you hand over your children's information- at schools/daycares, doctor's offices, sports teams, camps, etc. If those files are not handled properly, your children's information could be stolen and misused.

There are a few things you can do to help keep your credit safe: be vigilant in checking your credit card statements, be careful about giving information out over the phone or by email, pay attention at the register, and don't list full birthdates or addresses on social media sites such as Facebook. Keep in mind that a debt collector is not generally concerned about your claim of identity theft, they have a job to do and they are coming after you for money. You may be able to sort out small errors on your credit reports, but if you find you cannot get resolution to the problem, you will need an experienced attorney to fight for you.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

So what to do with the extra load of zucchini and squash from the summer garden..... make bread of course! Jackie grows veggies and brought in this recipe she uses from her mother-in-law, Lena. Take 2 cups of sugar, 2 cups chopped zucchini or squash, 3 eggs, 3 Tbs vanilla, 1 cup oil, - mix well. Now add 3 cups all-purpose flour, ¼ tsp baking powder, 1 tsp baking soda, 1 tsp salt and 3 Tbs cinnamon. Mix well, you can add walnuts or pecans if you like the crunch like I do. Pour into 2 prepared (butter & flour) loaf pans and bake at 350° for 1 hour. You can also find this recipe and many others on our website: <http://www.pzlaw.com/library/recipes/>. Let me know if you have any questions or have discovered a favorite recipe from our growing collection. Heading into Fall means dropping temperatures, so soups and stews will be cooking soon. Send me your favorite recipe at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com), I'd love to hear from you!

## On The Local Front

### JEFF P. HARVEY

We are honored to have so many of the men and women serving our country living here in the community and as our clients. This month we wish to express gratitude and praise to our long-time friend and client Jeff P. Harvey who recently retired as a Navy Lieutenant Commander. Although a native of Western New York, Jeff and his wife Ellen, have made Hampton Roads their home since reporting to USS Enterprise (CVN 65) in March 2002.



Jeff enlisted in the Navy in 1985 and attended many training schools, eventually serving as an instructor and supervisor in various nuclear capacities. Due to his extensive knowledge and abilities, Jeff was commissioned as an Ensign in 2002. His distinguished service resulted in him being awarded throughout his career the Navy and Marine Corps Commendation Medal (four awards) and the Navy and Marine Corps Achievement Medal (six awards). Post-retirement, Jeff is starting a civilian career working for ESN, a government contractor. He will be organizing installation teams at the shipyard.

We were fortunate to have Jeff, his wife, and his brother Kevin, as clients over the years and we wish Jeff and his family all the best moving forward.

## Family Corner



We had a wonderful visit with Dana to let us meet baby Eloise. Dana has been Avery's tutor for years and sometimes writes copy for us at the office. We were all thrilled for the new addition to the Shelton family. She's a tiny bundle of sweetness, like her momma.



Kellam and Kelly managed to slip away from their busy schedules recently for date night at McCormick & Schmick's at Towne Center.



## Family Law:

While deployment creates unique child care issues, it does not, in itself, prevent the military spouse from being awarded primary physical custody of minor children. In 2008 Virginia enacted the Virginia Military Parents Equal Protection Act which addresses many of the concerns of deploying parents and how to handle temporary custody changes. You can read more on our website here: <http://tiny.cc/06sj3x>.

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## INSIDE THIS ISSUE:

- Identity Fraud
- Jeff P. Harvey
- Apple's Newest Operating System

## Tech Tip:

This month I'm discussing iOS 9, Apple's newest operating system just recently released. I'm highlighting but a few of the new features that you'll want to know about:

- iOS 9 now pulls data from the Apple Mail App to suggest who might be calling if that person isn't in your contacts.
- Faster Searching - Now you can swipe down from the top of the settings menu to search for any of the formerly-buried settings that used to require multiple taps to find. You can also search right on the home screen and get the new dedicated search screen.
- Better Searching - Apple's built-in-search tool ("Spotlight") now includes the ability to search within third-party Apps. As long as the App has been updated to support this new feature, when you select Spotlight (swipe down from any home screen or at the top of the Siri screen), it will search within the Apps too (Outlook and Dropbox already support this).
- Fixed Keyboard - Apple has finally implemented a split caps keyboard. No longer do Apple users need to suffer guessing if their text will be caps or not, now the keys show if they are uppercase or not before you hit the key.
- Split Screen - If you are using an iPad Air 2, iPad Mini 4, or iPad Pro, you can now have split screen multitasking. Just swipe in from the right of the screen for the side bar to pick another App.
- Updated Security - You can use a 6 digit password to replace 4 digits (Settings>Touch ID & Passcode> Change Passcode). There is now a two-factor authentication available - check to see if available for your device - (Settings>iCloud>Account>Security)

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**JOIN ME SEPTEMBER 12<sup>TH</sup>!**

Presenting "Fraud Prevention/Credit Report Errors"  
by Kellam T. Parks.

*Free educational seminar and materials*  
September 12<sup>th</sup>, 2015, 1:00 – 2:00 pm  
RSVP to reserve your spot:  
[JLeitzel@pzlaw.com](mailto:JLeitzel@pzlaw.com) or 757-426-4526

Upcoming dates, 10-17, and 12-5 times tba.  
Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**

## *Credit Fraud*



Have you ever received a medical bill under your name for a service you did not have? Have you received a credit card or credit card bill that you never applied for or used? Has your tax return been denied as a duplicate by the IRS? If so, you have probably become a victim of identity theft and need to take immediate action. We can assist you in disputing fraudulent activity from your credit reports. Learn more at <http://goo.gl/TXJNE>



**BRANDON'S BRIEF:** My last newsletter entry apologized for the tardiness and mentioned the changes at Parks Zeigler, PLLC. Well we have more big news. First, we are timelier with the newsletter (ok, maybe not big news). The actual big news is Allison Anders has joined the firm as a partner. Her official first day was Monday, August 17, 2015. We are very lucky that she chose us. She makes any firm she is with better and we are no exception. Allison has brought her long-time assistant Kelly as her paralegal. Kelly has been here a few more days than Allison and is already up and running.

Summer is winding to a quick close but I refuse to go quietly. I will be taking my son on his first white water rafting trip at the end of August. I hope he enjoys it as much as I do. He starts school the day after we get back so he better rest up on the car ride home. Until next month, enjoy the warm weather and celebrate with the beginning of football season.

*Brandon*



## *Did you know?*

In 1935 the U.S. Congress designated the first Sunday in August as Friendship Day. The idea of honoring one's friends has joyously spread and now celebrated by many other countries around the world. In 1997 the United Nations named Winnie the Pooh the world's Ambassador of Friendship.



*"Treat your friends as you do your pictures, and place them in their best light."*

*— Jennie Jerome Churchill*

## CROWDFUNDING

Crowdfunding is the practice of funding a venture by raising money through contributions made from a large number of people, typically via the internet and social media. This type of alternative financing is helpful to those who cannot otherwise receive substantial funding through more traditional avenues. In 2013 there were 308 recognized crowdfunding platforms. This number jumped to 1,250 in 2014. Most platforms can assist with campaign managers if your expertise is more in line with product development and less with marketing for venture capital or individual investors. The rise of crowdfunding has sparked a new era of innovation, venture capital and job creation.

To be successful at crowdfunding entrepreneurs need to learn to communicate how their product solves a problem the consumer has in just a sentence or two in order to grab the attention of investors. Serial entrepreneurs often find that during the course of their campaigns they receive so much feedback they then can create a second product and begin another campaign.

Crowdfunding may eliminate the need to prepare a substantial business plan, put on a suit and meet in a boardroom, but you will still need a product the market wants. Further, you will need to have all of your information/research gathered and organized before the crowdfunding campaign begins so that you are ready for production if you are funded. You should have your website designed and ready to go live, a supply chain and distribution network in place, and a way to handle fulfillment and warehousing. The investors may be motivated by many different things (1) financial - they want a share of the profits (2) desire for

social participation (3) desire to help others' initiatives become a reality or (4) because they identify with the cause/product.

Some entrepreneurs use crowd funding not as much for the "funding" but for the "crowd." The public is generally very eager to share their opinions on products and can be a great source of feedback before actually marketing a new product. And since crowdfunding is becoming more mainstream, corporate America has jump on board as well. Major brands are using it for testing new products under lesser known subsidiary names in hopes of receiving more authentic feedback.

Just this year the Securities and Exchange Commission (SEC) passed into law Reg A+ under Title IV of the JOBS Act, which many believe will help facilitate democratization of investment from unaccredited investors. The new law removes the \$5 million cap that can be raised by entrepreneurs through unaccredited investors. There is a cap of 10% of the greater of your annual income or net worth, to protect individuals from "Bad Actors."

While this is an exciting and interesting opportunity for many entrepreneurs, it is also subject to various laws and regulations. Seek advice from those who have tried crowdfunding, even if their product was not actually produced. Each experience, successful or not, left an impression on those who went through it. You will also want to be sure you have a knowledgeable attorney, an accountant, and an insurance agent to assist in setting up your business and protecting your assets.

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## Deb Dishes:

This month I ventured to Norfolk to try "Supper - Southern Morsels" located at 319 West 21st Street. They serve unique versions of southern meals like shrimp & grits, South Georgia style BBO spare ribs, pimento cheese, fried oysters, fried chicken salad, fried catfish sandwiches, and fried green tomatoes. The menu changes depending on the time of day you arrive – lunch-brunch-dinner. I loved the appetizer menu and devoured my biscuit and cornbread served with butter and honey. Cara loved the deviled eggs made with minced jalapenos, smoked bacon and goat cheese. The Coca-Cola pot roast was sweeter than I expected, but I enjoyed the bite that the carrots and potatoes had. They also serve an interesting array of cocktails using southern favs like Wild Turkey and Jack Daniels. One of the nicest surprises was the simplistic décor and the outside rooftop deck dining. The bare cinderblock side wall & exposed painted pipes make you wonder what the purpose of the original building was. Your check comes rolled inside a small glass milk bottle with twine and a clip to attach your credit card. The service was excellent and the staff very pleasant. With summer coming to an end, I'll be looking forward to the start of soup season! If you have a favorite soup, stew or one pot dinner recipe – please share with me!



## On The Local Front

### GETTING TO KNOW THE NAVY

It's a fact we have a great deal of military in our community. But do we know how they operate? After all, the Navy, for example, is a business like any other. What can we learn from how it conducts its day to day affairs? A recent article in the publication Flagship, by Mid-Atlantic Master Chief Gregg Snaze, concerning "morning quarters" read like a business 101 lesson.

Morning quarters is when the command officer conducts three parts of the morning routine – Muster, Instruction, and Inspection. Muster is used to track the whereabouts of all staff. In the Navy there is no running late, you are either present, on duty, on leave, or unauthorized leave. Just like any business, there is accountability to one's time but also to ensure everyone's safety and wellbeing. Instruction is communicating the plan of the day, sometimes training.

This lets everyone know the work to be completed, deadlines, and events that should be of interest to everyone. Inspection - knowing how others view you is affected by your appearance it is imperative to ensure uniforms, haircuts, and shoes are clean and neat.

Take pride in your appearance and you will make a better impression throughout your day. Sound advice from a veteran of tradition and procedure to ensure we each begin "our day on time, looking our best and armed with the most up to date information we can possible get!"

## Family Corner



Jackie and her son Brad at a family summer celebration in PA. Brad is a fulltime student in Michigan. He is finishing his degree in diesel mechanics since serving a 4 year enlistment in the Marines.



Recognizing Winston needed a playmate, Alex & Beth added to their fur family. Meet Punky, Winston's new little sister. Punky is a Frenchie full of personality who mothers Winston, despite his size!

## Family Law:

If you are receiving social security benefits, they may be affected by your divorce. Your SSI (Social Security Income) is determined by need, and it could be raised once your spouse's income is no longer a factor for you. On the other hand, if you receive spousal support from your divorce settlement, your benefits could decrease because the alimony will be counted as part of your income. You should contact your attorney for more information and help navigating this important factor of divorce.



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## INSIDE THIS ISSUE:

- Crowd Funding
- Getting to know the Navy
- Navigating Google Maps

### *Tech Tip:*

I'm diving into fun and useful things you can do with Google Maps this month.

- Shortcut Keys – (1) +/- = zoom in and out; (2) left/right arrow keys = turn left/right; (3) up/down arrow keys = move forward/backward; (4) A/D = turn left/right; (5) W/S = move forward/backward
- Change Route by Drag and Drop - You can maneuver your route by clicking and dragging any part of the route to a different way to go and it will recalculate.
- Single-Click Directions – Instead of typing where you want to go, you can right-click on the destination and will give a pull-down list to get directions to or from the location.
- Measure Distance – You can also measure the distance from any two points using the dropdown menu by choosing "Measure Distance."
- Time Travel – Google has added a feature to see how the street view of some locations have changed through time. If enabled for that location, you can click the stopwatch icon in the top-left corner just left of the text "Street View – [Date]", which will enable a sliding scale to use.
- Create Customized Google Map – You can go here - <https://www.google.com/maps/d/u/0/> or if you are signed in to Google you can go to "My Places" via the gear icon at the bottom of Google Maps and then click "create map." You can add pinpoints, highlight sections, or even create customized directions. You can share this with people too.
- Search Help – Beyond regular keywords that search for locations around where you are (such as "restaurant"), you can search more specifically like "Italian Restaurant Near 5th and Main Street"

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## JOIN ME AUGUST 15!

Presenting "Fraud Prevention/Credit Report Errors"  
by Kellam T. Parks.

*Free educational seminar and materials*

**August 15<sup>th</sup>, 2015, 1:00 – 2:00 pm**

RSVP to reserve your spot:

[JLeitzel@pzlaw.com](mailto:JLeitzel@pzlaw.com) or 757-426-4526

Upcoming dates, 9-12, 10-17, and 12-5 times tba.  
Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**



**KELLAM'S CORNER:** The Parks family's annual 4th of July OBX vacation was a hit as usual. Although we didn't have a hurricane to deal with this year (Arthur got us last year), we did have a lot of rain - which was OK as it gave me more time to catch up on pleasure reading and Kelly and Avery more time to hit the shops!

On the business side of things, I recently became co-chair of the Virginia State Bar's Special Committee on Technology and the Practice of Law. I look forward to my tenure assisting in leading this Committee in our efforts to educate Virginia's lawyers on the use of technology in the law.

On the firm front, we're continuing to expand and have some exciting news for August's Newsletter about what this entails, so be on the lookout!

*Kellam & Brandon*

## *Personal Injury*



When traveling long distances with small children, try to stop every two hours to let them burn off some energy. Never let them unbuckle to move around in the car or lie down. If your child is still in a toddler seat, avoid letting them eat in the car. At this age they are still prone to choking, and a five-point harness is that much harder to get a child out of in an emergency.



## *Did you know?*

Penny wise and pound foolish? It costs the U.S. Mint almost twice as much to mint each penny and nickel as the coins are actually worth. Taxpayers lost over \$105 million in 2013 just through the coins being made.



*"Definiteness of purpose is the starting point of all achievement."*

*— W. Clement Stone*

## JULY 1 - CHANGES IN VIRGINIA LAW

July 1 is the date most new laws passed by the Virginia Legislature take effect. Although the Virginian-Pilot ran a story on July 1 that covered more broadly applicable laws, here are some of the more notable changes this year in our practice areas. We've given the link to the new law's text beside each.

**Virginia Code §§2.2-436 & 2.2-437** - Electronic identity management - This creates the Identity Management Standards Advisory Council to advise the Secretaries of Technology and Transportation on the adoption of technical and data standards regarding the verification and authentication of identity in digital and online transactions. It, in essence, creates the beginnings of a framework for identity providers in Virginia. <http://tinyurl.com/q8hn3kx>

**Virginia Code 8.01-417** - Insurance companies must now disclose the address of their insured pre-lawsuit if requested by the injured person or his/her attorney and the medical bills and wage losses are at least \$12,500. This is useful to assist with determining permissive venue (where a case may be filed) and for serving the responsible party should a lawsuit need to be filed. <http://tiny.cc/4dmx0x>

**Virginia Code §8.01-247.1** - Extends the deadline to file a lawsuit ("statute of limitations") for defamation if the publisher of such statements does so anonymously or under a false identity on the internet. Defamation has the shortest statute of limitations, only one year. There

was a reoccurring problem of getting a lawsuit filed and served timely when the person publishing the defamation was anonymous or using a false identity online. This law assists by tolling the statute of limitations until the identity of the publisher is discovered, or by the exercise of due diligence, reasonably should have been discovered.

<http://tinyurl.com/p4zvryn>

**Virginia Code §20-106** - The language for affidavits in support of divorce have changed...again. This is seemingly a yearly occurrence, but the legislature has tweaked the language in the affidavits. We've already updated our affidavits, but we've seen others that have not yet done so (also a yearly occurrence). This is important because if the affidavits don't track the Code exactly, the divorce filing will be rejected by the Court. <http://tinyurl.com/ohah3wq>

**Virginia Code §20-108.2** - Clarification of how to determine health insurance premium costs when determining child support. There is now a clear method to apportion health insurance premium costs for children - only the proportional share of the premium for a child is added to the obligation. The Code now even lays out how to determine this cost if a per person costs isn't provided by the insurer [(total cost) - (individual coverage)] / (number of remaining covered persons). This was an area of contention before the change and made certainty without a judge's ruling impossible. <http://tinyurl.com/nlecy4>

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## Deb Dishes:

Notice anything changing in your dining out experience? Forget kale and sliders. It's the year of technology. Called "guest-facing" or "front-facing," we are being given the option to order food before we get to the restaurant, before we sit down, or while seated at your table through technology. We have been able to play games at the tables for a while now, but now you can also pay at the table and not have to wait for the staff to bring your check, take your payment, and bring you back change or a receipt to sign. The "Millennials" are driving this "I want it now" mantra that is producing faster table turnover and lowering staffing needs. Sure it may help improve order errors and possibly could decrease labor costs, but I don't want to be rush through a meal. I've posted some new recipes on our site – go see! I'm sure you've noticed how quickly food trends come and go... bacon on what? Now we have "Neurogastronomy." The science used to manipulate your perception of how food smells and tastes. One recent experiment shows drinks taste sweeter under red lighting with curved furniture in view. I'm not making this up folks! Tell me your oddest, or at least newest, dining experience at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). I can't wait to hear!

## On The Local Front

### LOCAL NAVAL SHIPYARD WORKERS

The government data breach and the decision to shut down the online system (e-QIP) used by the Office of Personnel Management (OPM) to conduct background checks is having a direct negative impact right here in Hampton Roads. It could affect deadlines and the military is on a tight schedule for work assigned to our shipyards, so any delay will be felt.

The proposed downtime is six weeks, which may not seem critical as OPM has set up a way for people to receive a lower-clearance interim security clearance. But without full background checks, contractors will be delayed in staffing many projects requiring high level clearance.

Virginia Senators Mark Warner and Tim Kaine have both been vocal on voicing concern for the delay and question OPM's handling of the data breach, with OPM providing few details to date. Local contractors are frustrated at a system that was time intensive to start with and now they are faced with having to delay filling many open positions and employees with expiring clearance that will be out of work.

While OPM feels this shut down, adding to the current backlog, will be minor to the individual worker, the contractor, and agency set to work do not share that sentiment. It will be disruptive no matter what time frame is involved.

## Family Corner



Avery was showing her patriotic pride during the annual OBX family week vacation.



Noah enjoys shooting his new birthday guns with the assistance of his shooting coach Freddie.



## Family:

Being amicable to your ex goes a long way towards making things easier on your children. When you want something, try to phrase it as a request so it doesn't sound like a demand. For example, "Would you be willing to...?" instead of "I need/want you to..." Keep conversations kid-related and be sure to at least listen to what your ex has to say, even if you don't agree.

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## INSIDE THIS ISSUE:

- Changes in the law
- Naval shipyard workers
- Windows 10

### *Tech Tip:*

This month I am discussing Windows 10, Microsoft's latest (and supposedly last) iteration of Windows. If you own a copy of Windows 7 or newer, you will get a free upgrade to Windows 10. You may have already seen the notification on the bottom right corner of your computer - you can reserve your copy now before the July 29, 2015 release and have a year to upgrade for free.

The key thing to know about Windows 10 is the philosophy behind its creation - Microsoft believes that the future of Windows is a platform for all devices. It is aiming for a seamless experience no matter if you are on a desktop, laptop, tablet, phone, or whatever device you want to use. Some of the new/updated feature of note:

- Integrated virtual assistant - Cortana. Much like Siri for Apple, you can now speak to your device and Cortana will give you information (internet searches) or accomplish tasks

(such as starting programs or finding files on your system).

- New search engine - Microsoft Edge. Gone is Internet Explorer - Edge is much faster and has numerous improvements to Explorer. Whether I'll like it more than Google Chrome remains to be seen, but I'll give it a whirl when released.
- Improved Window-Snapping - I have written about the usefulness of quickly sizing and moving windows ("snapping") using the Win Key + arrows. Windows 10 improves on this functionality by allowing a four-way snap (so windows in each of four corners of screen). This would be particularly useful for larger monitors or when using your TV for computer display.

I am looking forward to Windows 10 - definitely a step in the right direction for Microsoft.

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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.



## JOIN ME AUGUST 15!

Presenting "Identity Theft / Fraud Prevention"  
by Kellam T. Parks.

*Free educational seminar and materials*

**August 15<sup>th</sup>, 2015, 1:00 – 2:00 pm**

RSVP to reserve your spot:

[JLeitzel@pzlaw.com](mailto:JLeitzel@pzlaw.com) or 757-757-426-4526

Upcoming dates, 8-15, 9-12, times tba.

Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**



**BRANDON'S BRIEF:** No your eyes are not deceiving you and yes, we know what month it is - the newsletter says June but it is mid-July. First, we apologize. Second, we really have a good excuse. We are very fortunate to have many clients who trust us with their issues – big and small. As a result, everyone here has been working full tilt and we have neglected our duties re: the newsletter.

In response to our workload we have hired more staff and request that you join us in welcoming Ambir Wilson our newest paralegal and Jackie Leitzel our new administrative assistant.

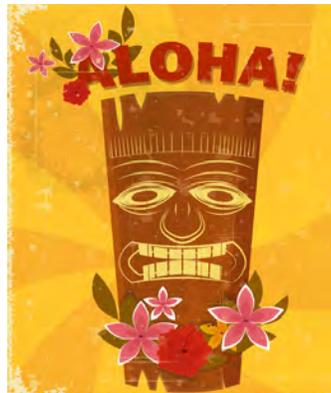
Summer is now half done and I think I have missed most of it – at least that is what my yard looks like. Enjoy the rest of the summer and we will do a better job of being timely with the newsletter. Thanks for your understanding and for trusting us with your matters.

*Kellam & Brandon*

## *Personal Injury*



It may seem that an older clunker is the best car for your teenager, since there is a good chance they may bang it up some more, but this is actually an unwise choice because teens have the highest crash rate. Newer Vehicles with up-to-date safety features will go much further in protecting your teens from this statistically heightened risk. A car that has already been damaged is more likely to crumble in the next accident, putting your child's safety at risk.



## *Did you know?*

The Hawaiian alphabet consists of 13 letters – five vowels (A,E,I,O,U) and eight consonants, one of which is a glottal stop called an 'okina. (H,K,L,M,N,P,'). The 'okina is considered a consonant because a missing 'okina can change the meaning of a word. Kai=sea, while Ka'i=to lead.



*"I didn't fail the test. I just found 100 ways to do it wrong."*

*— Benjamin Franklin*

## DIVORCE AND RELOCATION WITH CHILDREN

With Hampton Roads being such a prominent military community, many residents were born and raised in other parts of the country. When a divorce happens, especially with a military family, a spouse may want to move back to his or her home state prior to the end of military duty to be near family who can help out by providing financial and emotional assistance. If you have children and are considering a move after divorce (whether military or not), there are a few things to consider.

First, if the divorce is already final, you'll need to check your child custody or divorce decree to make sure it doesn't include any travel restrictions which may prevent you from moving, even to another part of Virginia. If the divorce isn't final, this issue will need to be addressed in the divorce decree. Either way, once you have decided to move, there are still more steps you need to take. If there is an order in place (temporary or final), you need to inform the other parent and the court in writing of your intent to move at least 30 days before moving per Virginia law. If the other parent agrees with the move, you need to have the order modified, which will usually require a modification of the terms of visitation due to the change in location. If the other parent objects to the move, a court will likely need to determine the issue and it will look at the best interests of the child. To maximize the chance of prevailing in your desire to move, you should research the area where you plan to move well ahead of time. It is wise to have evi-

dence to show the courts including the neighborhood in which you plan to reside; the schools/day care the children will attend; and what kinds of extracurricular activities are available. You will also need to show that you are willing to facilitate the children's relationship with the other parent and extended family members, and that moving will not hinder them spending time together. You may need to be willing to offer longer visitation during holidays and summer breaks for the other parent to accept or to sway the court. Be aware that the court may still deny your request to move, especially if they suspect that you are moving to keep the child from the other parent.

If the court allows relocation, Virginia will retain jurisdiction over them until the other parent leaves Virginia or the court determines at some future time that it is no longer a convenient forum. Jurisdictional issues can become tricky and are governed by the Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA"). If there is a court order prohibiting a move without permission, moving without getting the court's permission could result in you being held in contempt of court. This can mean jail, fines, or both. It will certainly impact any custody case.

Whether you are seeking to move or want to prevent a parent from moving away with your children, be sure to consult your attorney to get the best advice for navigating this complex and often stressful situation.

*We welcome your referrals!*

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### Deb Dishes:

There are so many choices in our area when dining out. I was recently asked about small spots where the locals go. Well, we have a plethora of those as well! Gus & George's on Virginia Beach Blvd is a family owned and operated place that is a longtime favorite of a few generations (40+ years). While the décor may be a little dated, the food and service is certainly not. It's called "Spaghetti and Steak House", but they also have Greek food and still serve every table with a basket of crackers and butter. When I was a child, I loved going out to dinner so I could eat butter and crackers. It's one of the very few places you can still get liver & onions (yum). Some favorites are veal or eggplant parmigiana, Greek burgers, chicken kabobs, baked spaghetti & steak, hand cut fries, homemade meatballs or just a steak with two sides. They offer daily lunch specials at a very reasonable price. The staff is very friendly, service is good and they can accommodate larger crowds if you have a big family, bring children or want to hold a business meeting. Tell me about a place near you that you really enjoy!

### On The Local Front

#### YES, THERE ARE SHARKS ON OUR COAST.

Its summertime and everyone flocks to the shores for fun in the sun. This summer the shark population is helping to remind everyone that the ocean is their domain. A swimmer has only a 1 in 11.5 million chance of being bitten by a shark, according to the International Shark Attack File at the Florida Museum of Natural History.

But with so many more people in the water, the chances are greater for the possibility of more interactions. Weather conditions like warmer water temperatures and currents are bringing bait fish to our coasts, resulting in an influx of sharks. Only about a dozen of the 300 species of sharks have been involved in attacks on humans, including white tip, black tip, mako, tiger, bull, and spinner and yes, even great white sharks.

There are some things you can do to lessen your chance for an encounter with a shark. Don't swim near piers where bait is dropped all day, at night or dusk, or during rough waters (storms) where the churning sea makes it difficult for a shark to see, and don't wear shiny objects.

What can you do if you are bitten by a shark? Be aggressive by hitting it on the nose, claw at its gills and eyes – these are all sensitive areas and result in the shark letting go. Sharks do not eat humans for food, but may not see the difference between you and a marine mammal until it bites.

### Family Corner



Lia's son Grant enjoyed the carnival at Mt. Trashmore as evident by this action picture!



Deb was loving life when she had all her kids and grandkids under her roof for a week. Bryant, Max, Mia & Scottie had fun at the beach. They also went to Bush Gardens for the first time and didn't want to leave after 7 hrs! Well, maybe Scottie, he was done.

### Log in

Username:

Password:

### Credit Tip:

In a secure place, keep a list of all websites where you have credit/debit card automatic payments occurring (Busch Gardens season pass, storage units, magazine/newspaper subscriptions, etc). If your credit card is ever stolen, this will make it easier to visit each site you need to enter in your new credit card number in order to avoid late fees or penalties. Do not list usernames and passwords in the same location.

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## INSIDE THIS ISSUE:

- Divorce & relocating children
- Auto charges/debits
- Sharks

## Tech Tip:

This month I'm revisiting internet searches. Finding information quickly and precisely is an incredibly valuable tool. I'm going to focus on Google, as it is the most used (64.5% of market share as of Feb, 2015). We're slowly but surely getting to the point where we can use purely natural language searches (if not voice commands), but until that day comes, old fashion searches are still the most efficient.

There are a ton of useful tricks and tips, but my most used are: (1) Use Boolean search logic for searches - you can use the negative sign "-" to exclude words in a search. Example: Saturn -car [if you are looking for planet info to avoid car hits]; (2) Another example is the use of "OR" - this will let you have alternate phrases of the search term, such as ship-

wrecks OR "ship wrecks"; (3) Wildcard usage - If you don't know the exact phrasing of what you are looking for, use the asterisk "\*" to replace words in your quote. Example: "Waste not \* not"; (4) After your initial search there are two useful narrowing tools: (a) Use the "Search Tools" option on the bar at the top once you have results to narrow by timeframe (the one I use the most), specific sites, or even location; and (b) "CTR-F" - hit these keys, enter the term you are looking for, and the terms will be highlighted for you to easily locate on the page. There are many more useful tricks - if you are interested in getting the most out of your searches, take the free Google Power Searching courses - <http://goo.gl/3m1IU>

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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Open to the public and all sessions will be held at  
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**KELLAM'S CORNER:** I hope everyone is enjoying the warmer weather (finally!) and had a great Memorial Day weekend. We're settling in here at the office with Brandon and Sara's recent arrival. Business is booming—we've hired a part-time paralegal who starts in July to handle the additional work. Good problem to have!

Seems like every May I discuss Avery's end of competition season... and injuries to go along with it. Last year it was a foot stress fracture, this year it is an ankle bone protrusion and a knee thing. Ah, the life of a dancer!

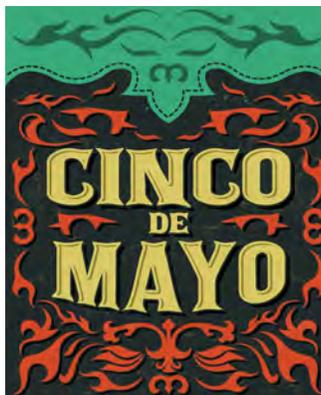
Have any great summer plans? Get in touch with us through our social media pages and let us know what you're up to. We'd love to hear from you.

*Kellam & Brandon*

## *Personal Injury*



May is National Bike Safety month. Similar to keeping your car in good working condition, you should also inspect your bike on a regular basis. Check that the tires are properly inflated and that the brakes work. Check your helmet to make sure the straps are still securely attached and not fraying. Wear brightly colored or reflective clothing to make yourself more visible to cars. Remember that bicycles are considered vehicles and subject to the same rules as cars when on the road.



## *Did you know?*

Some people think Cinco de Mayo is Mexico's "Independence Day," but it's actually a day when Mexicans were victorious over the French in the Battle of Puebla in 1862. Mexico's true Independence Day is September 16. In the United States, Cinco de Mayo has become a day to celebrate Mexican heritage and pride.



*"Knowledge is knowing a tomato is a fruit.  
Wisdom is not putting it in a fruit salad."*

*— Miles Kington*

## UNDERSTANDING YOUR CREDIT OPTIONS

Did you know that less than two percent of high school students will receive an athletic scholarship? Only 0.3 percent of students will even receive enough money to fully cover the cost of attendance. With the rising cost of college tuition, more people are looking at loans as a way to fund their children's educational future. Before starting the loan application process, here are some things to keep in mind.

There are three options for college loans, the best choice being the Subsidized Stafford loans, which usually come as part of the financial aid packet you will get after completing a Free Application for Student Aid (FAFSA) at [www.fafsa.gov](http://www.fafsa.gov). This has the best interest rates, which the government pays while the student is in school, and repayment usually starts six months after graduation. The second option is a parent's federal PLUS loan, which may have higher interest rates than the Stafford loans, but they will be lower than those of private loans. Private loans (from a bank or other financial institution) should be your last resort. They typically have the highest interest rates, which can change each year, and you will be expected to start repaying them immediately.

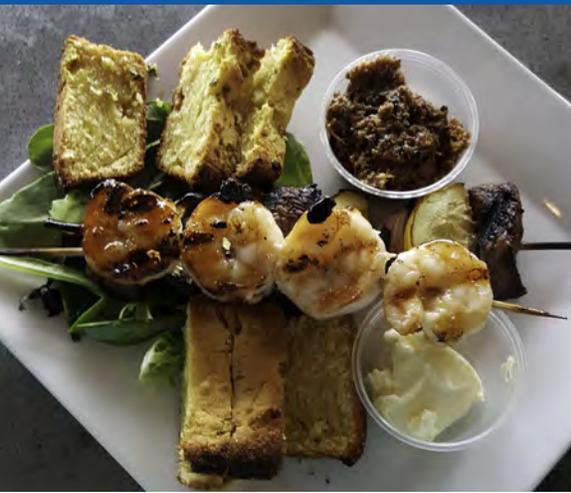
While an athletic scholarship may be off the table, there are plenty of other types out there, including religious or employ-

er-offered ones. You should start looking while your student is a sophomore or junior in high school. Waiting until senior year could cause you to miss deadlines. Forbes.com recommends <http://www.fastweb.com> or <http://collegescholarship.org> to help you get started. You should fill out FAFSA every year, as it can identify grants, loans, and work-study funds that may apply to the student. Be sure to turn it in as soon as possible since funds are limited.

Unfortunately there are always scammers waiting in the wings. You shouldn't pay someone to help you find scholarships or fill out FAFSA, as the information is all available online at no cost. There are several warning signals that the Federal Trade Commission urges to watch out for. If someone claims a scholarship will cost money, is "guaranteed or your money back," or that they do all the work for a small processing fee, they could be scammers. The same is true if they need a credit card or bank account to hold the scholarship, or if you get a notice that you've been selected to receive a scholarship you never applied for. You should be especially cautious when giving out personal information because often the scam is to steal your identity to commit fraud and in the process ruins your credit. That could be crippling at a time when you need good credit the most.

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## Deb Dishes:

Found another little place you need to try – Home Republic, 328 Laskin Road, Va. Beach. This picture is the “Republic Plate” starter but it could have been my whole meal! It has sriaccha shrimp, steak & veggies, house baked cornbread and minced BBQ. My daughter ordered two of these because she did not want to share one, it’s that good! I ordered an “Extra Smokey” burger, which ¾ went into a box for another meal – every bite of food I had was delicious. They have inside and outside seating, a kids menu, burgers and entrees ranging in price from \$12-\$18 and quite a list of wines and beers with a happy hour schedule Monday – Friday. Now, as promised, onto corn on the cob... I knew you could boil it and grill it, but did you ever try pan-seared? I had not heard of such a thing until I started looking for some flavorful ways to season my corn. I had tried some herb butters, like I do for my turkey breast. I like adding a squeeze of lime or lemon to give it that summer fresh zing. I have posted some butter mixture recipes to give a try and a guideline on the three ways to cook corn on the cob. Let me know how you like yours!

## On The Local Front

### SUMMERTIME AND THE LIVING IS EASY

Summer also means tourists, rising temperatures and tempers, heavier traffic, sunburns, parking issues, rip tides and sharks.

Tourist spending helps support the Virginia economy and provides numerous seasonal jobs. No one can argue those positive points. However, having so many non-residents in our area can also put a strain on our infrastructure. Tracking tunnel traffic is very helpful during the summer days: <http://goo.gl/bLGWzR>. What’s in your ocean? Mary Lee is a 16 foot, 3,500 pound great white shark that was satellite-tagged by OCEARCH three years ago and recently tracked swimming off the Virginia coast. You can follow her on Twitter at <https://goo.gl/1ctuzy>. Anglers are encountering more and more sharks of various species along the coast, adding to understanding the migration patterns of these interesting creatures.

Most people don’t fear what’s in the ocean since statistically, tides and currents kill more people than shark attacks. It is imperative to be aware of what the mighty ocean is doing. Be safe and swim in areas with lifeguards as they are seasoned veterans of the ebbs and tides.

While some of us may complain about the negatives of living in a summer tourist area, we all enjoy the sunny days filled with outdoor activities for family and adult fun throughout our wonderful cities. So go sit on the beach and enjoy the spectacular view of a morning sunrise over the Atlantic Ocean.

## Family Corner



On a recent trip to Washington, DC, the Zeigler family made time to nosh on some goodies at City Grill. Noah and Anette took a minute to give a friendly smile for Dad. With so much to see and do in DC, a weekend hardly seems like enough time.



Bryant (and all 2nd graders at Luxford) told us what they learned about ancient Egypt through words and many songs. Bryant was quite proud of his homemade costume and his jeweled amulet that wards off evil spirits.



## Family Law

If you and your spouse can’t agree on property division, the courts will decide. It will determine whether an item is marital, separate, or hybrid property. Separate property is typically anything that was owned before marriage, after the date of separation, gifts given by a third party to one party, inheritances, or certain portions of money awarded for personal injuries. Marital property is anything acquired during the marriage. Hybrid property is property that is a combination of both (e.g. a home that had pre-marital funds contributed to the purchase). For marital property, the court will assign monetary values, then distribute the items in an “equitable fashion.”

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## INSIDE THIS ISSUE:

- College Tuition Tips & Scams
- National Bike Safety Month
- Corn on the Cob

## Tech Tip:

This month I am discussing two useful tips when leaving an iPhone to an Android phone. I found the first one, but learned about the second one the hard way (too late).

### • Easy transfer of iPhone to Samsung Android device

There is a new solution - "Smart Switch," which is amazing. We moved my wife over to a S6 Edge from her old iPhone. With the Smart Switch program (free), you just make a back-up of your iPhone with iTunes, plug in the new Samsung phone, run the Smart Switch program, and choose to transfer data from the iPhone backup file - everything is now on the new phone. You can also download the Smart Switch app on the Android Phone and it'll find your old iPhone apps that have Android versions to re-install. This elegant solution has been missing until now, but saves a lot of time and headaches!

### • Text Messaging Warning!

This is the one I learned the hard way. BEFORE you deactivate the iPhone and activate the new Android phone, you need to deactivate the existing iPhone's iMessage feature. Apple uses its own servers to handle messaging and if you don't turn this off, text messaging to and from other people won't work. What's worse, if you don't do this ahead of time, it can take days (or longer) for it to automatically disconnect - my wife was NOT pleased it took two days for her text messaging to work! Simple solution - On the iPhone go to Settings>Messages and turn off "iMessage" - that's it.

I hope these tips can save you time and stress if you are switching away from Apple!

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*

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**BRANDON'S BRIEF:** As you can surmise from the new firm name, change has been in the air around here. After 11 years at a mid-size firm (30 attorneys) and seven years before that at a smaller firm, I decided to downsize my work environment. I approached Kellam several months ago about working together again - we practiced together at two firms over the last 15 years. After working out the fine print (which is difficult for lawyers to do), I joined him in our new venture on March 16, 2015. I am very excited about our prospects and Kellam has been very patient with my technology learning curve.

On a personal note, I was able to enjoy a ten day vacation with my family and friends recently in Spain. My son endured the endless church tours and historical sites and ending up enjoying himself. For someone who could eat hamburgers most days, he got into trying something new each day and ending up liking most of what he tried. His mother and I are trying not to let him revert to his old ways.

*Kellam & Brandon*

## *Concern for children*



When separation or divorce occurs, be sure to let your children's teachers, guidance counselor, coaches, and any caregiver know what's going on as soon as possible. Children's behavior and mood can change drastically. Despite reassurance from you, they may be scared or confused about the changes within their family. The adults in their lives need to be aware of the situation so they can handle any behavioral issues properly. Other adults they interact with can offer additional compassion and understanding.



## *Did you know?*

April marks the 155th anniversary of the Pony Express. Riders rode their horses at full gallop for 12-15 miles before changing horses. It took 10 days to get mail from St. Joseph, Missouri to Carson City, Nevada. The Pony Express stayed in operation until the arrival of the telegraph in 1861.



*"Every day is lost in which we do not learn something useful. Man has no nobler or more valuable possession than time."*

*— Thomas Jefferson*

## TIPS FOR SMALL BUSINESS OWNERS

Starting a new business? Current business need a checkup? Here are some legal pitfalls you want to be sure you have covered:

**Incomplete/Inaccurate filing.** You can surf the internet and find all sorts of information on how to form your own company and file the required documents, but if done incorrectly the owner may not be protected from personal liability. "Fill in the blank" documents are generic and are not drafted to suit your particular business. They are crafted to cover the most common issues and many times are not even crafted with Virginia law in mind. Additionally, to receive the liability protection you are seeking by incorporating, you will need to complete filings that may include by-laws, execute organizational minutes, make certain IRS elections, and many other monthly and yearly decisions that will go a long way to determining if your business will shield your personal assets from suit.

**Employee Policies.** You need to know how to handle agreements/contracts, non-competes, non-disclosures, non-solicitations, and determine which if any employees should sign these agreements. You will need to outline the policies so there is clear understanding of expectations in a handbook that all employees read and sign. Then you need to consistently and uniformly execute the established procedures. Contractor or employee? You need to know how the IRS defines these terms, as the IRS will not default to how you identify these workers.

**Insurance Protection.** There are several questions you need to ask. First, do you need life insurance on the owners? Are your assets properly insured? If you handle sensitive client information, are you insured against computer crimes and hacking? Do you know the difference between D&O coverage and P&C insurance? You need to determine what insurance best covers your business needs and be adequately insured.

**Ownership Structure.** Are you a LLC, a PLLC, a S-Corp or a C-Corp? Do you know the difference and how it affects the operation of your business? You must consider taxes, record keeping, and even a documented succession plan to positively maintain the day-to-day operation of your business in case of suit, death, disability, retirement, or tax audit.

**Protecting Creative Assets /Intellectual Property.** You may not have thought your domain names, logo, brand or IP need protecting, but these are valuable assets. You may hire outside vendors for some or all of this type work, so having an appropriate written agreement in place before work is done is crucial to keeping that work from being reused or resold.

**Business Plan.** You must have a business plan for more than presentation to a bank or investors. You need to make sure you are thinking long term and not borrowing a large sum to start, spending too much, and then not being prepared for the lean months as you grow.

You need three trusted advisors when starting or operating a small business.

**A tax accountant** - Because record keeping and paying taxes are like death, required of us all.

**An insurance agent** - To explain coverages and help determine which type and amount needed to best protect you, your assets, and your company.

**A knowledgeable attorney** - Being ignorant of laws will not keep you out of prison or shield you from civil liability. An attorney can provide you timely guidance as your business grows. You need competent professionals that help you make the right decisions. If you have any questions or concerns, please feel free to contact our firm to assist you.

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## Deb Dishes:

Cream Cheese Pie and Cheese Pie. If I cannot have my mom make me a ribbon cake for my birthday next month, then this is the next best thing! I have two versions posted on our website; <http://www.pzlaw.com/library/recipes/>. One from Courtney Montagna that is quick and easy, no baking. The other one is from Lia's Grandma Kay (perfected by her mom) that takes longer but has a unique top layer that is oh so nicely spiced, just a tish. Both are made with a graham cracker crust so you can make it yourself or buy a premade one – oh come on make it from scratch, it's not hard! Try both and tell me which one you prefer. I'm not much of a pie maker, due to my inability to make a good crust and my dislike of cooked fruit. I remember my Mom would mix up a can of thawed limeade drink mix, a can of sweetened condensed milk and a tub of cool whip then pour that into a crushed chocolate cookie pie crust and refrigerate for a quick after dinner dessert. Drop me an email to let me know your favorite pie recipe ([dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com)). Next month its strawberry picking time and corn on the grill! Have any good recipes or tips, send them my way!

## On The Local Front

### NORFOLK SCHOOL DAYS

According to the Virginian Pilot, the Norfolk School Board recently announced their intentions to ask Virginia's Board of Education to allow Norfolk public schools to start before Labor Day, beginning with the 2016-17 school year. This would also allow the school year to end earlier. While not all members are in favor of this change, the ones who are claim students need more time for learning before the SOLs, which determine a school's accreditation. With only 13 out of 44 Norfolk public schools achieving accreditation last year, this may be a valid concern. But just a few days after this article came out, a study commissioned by the Virginia Hospitality & Travel Association and carried out by Virginia Commonwealth University was released that claimed there's no relationship between starting before Labor Day and an increase in SOL scores.

Those opposed to the change are concerned that it may affect partnerships with summer camps or employees' morale due to changes to summer plans. Member Rodney Jordan would like to see schools apply for individual waivers, rather than having all start before Labor Day. But how would different schedules affect employees like bus drivers, who drive routes for several different schools? Tourism which brings in extra money that our economy (and school systems) benefit from, and employs local teens would also be affected. What are your thoughts on Norfolk's public schools starting before Labor Day?

## Family Corner



Zeigler family (Brandon, Anette & Noah) in front of the Aqueduct in Segovia, Spain. Over 90 feet tall in some places and built of non-mortared granite blocks. Gravity and engineering is the only thing holding it up.



Sara's son Mattox pitching for baseball tournament in Kilmarnock, Va.- taking 2nd place in the Oct 2014 tourney.



## Safe Wi-Fi

While it's fun to surf the web from your smart phone while sitting in your favorite café or when bored while waiting for your car to be serviced, be cautious. If you use free Wi-Fi in public locations, especially ones that don't require a password to log in, you could be giving hackers access to steal your identity. They sit and wait for users to open sites that contain personal information. Never visit data-sensitive sites (banks, insurance) or make online purchases from public Wi-Fi.

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## INSIDE THIS ISSUE:

- Starting a New Business
- Norfolk School Days
- Cell Phone Apps

## Tech Tip:

iPhones are more popular than ever with the introduction of the larger-sized phones. While I am an Android user (I'm in the process of upgrading to the new slick S6 Edge), I cater to my audience, so am sharing some of the top free iPhone apps currently available. The apps listed give both useful services, but are also well designed for use on the iPhone.

- [Converter Plus](#) - All-in-one calculation app that will handle almost anything you need
- [Dropbox](#) - My preferred free cloud storage solution, the app is nicely designed so you can access everything you've saved
- [ESPN Score Center](#) - Quickly check the scores from your favorite sport
- [Evernote](#) - I've sung the praises of this productivity service before and the app for it is beautifully designed
- [Feedly](#) - My favorite RSS fee reader
- [Gmail](#) - If you have a Gmail account (and why don't you if not?), this stand-alone app is more feature rich than the default mail app built into the iPhone
- [Google Translate](#) - Especially for a free app, this does an amazingly-good job of translating more than 30 languages
- [MyFitnessPal](#) - A great calorie and exercise tracker on the Web, the app is smartly designed to make it easy to keep up with your day
- [QuizUp](#) - One of my favorite quick time-wasters, this trivia game is great to challenge your friends or strangers
- [Sticker Radio](#) - Great app to keep track of podcasts and other audio shows
- [Untappd](#) - For fellow beer enthusiasts, great app to track beer discoveries and find new ones
- [Weather Underground](#) - Fantastic weather app

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# STAYING *in Touch*

March 2015 Newsletter | VOLUME 4 - ISSUE 3 | [www.pzlaw.com](http://www.pzlaw.com)

This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.



## JOIN ME APRIL 18!

Presenting "Identity Theft / Fraud Prevention"  
by Kellam T. Parks.

*Free educational seminar and materials*

**April 18, 2015, 10:00 am – 11:00 am**

RSVP to reserve your spot:

[dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com) or 757-453-7579

Upcoming dates – 5/9/15; 6/20/15, times tba.

Open to the public and all sessions will be held at  
**M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**

## *Credit / Fraud*



Have you ever stopped to think of the various strangers you've let into your house over the years, maybe without you even being there? Maids, repairmen, delivery men, contractors, friends of your older children, neighbors - the list goes on and on. Less than honest individuals can take advantage of personal information you have lying around, maybe in the form of bills or bank statements. If you have anyone coming over, make sure they can't access information that would let them steal your identity.



You may have noticed the new name of the firm. Our big announcement mentioned last month is the addition of Brandon Zeigler as a partner and the resulting firm name change to Parks Zeigler, PLLC. We've (Brandon and Kellam) have previously worked together at two law firms and have been friends for almost 15 years. Brandon also brought his paralegal, Sara Cesil, with him – we're glad we had already expanded into the next suite to have enough room! More information about Brandon and Sara are on the website. We're excited about the opportunities that the expansion brings and look forward to continuing to provide excellent legal services to our clients.

Brandon and Kellam are going to alternate this opening space each month starting in April to give our perspectives on the firm and our lives. We look forward to keeping you informed on the going-ons here and hearing from you as always.

*Kellam & Brandon*

## *Did you know?*



Green used to be considered bad luck in Ireland because it's the leprechauns' favorite color, and wearing too much green might offend them. In retaliation, they would cause trouble for you. It wasn't until the mid-20th century that wearing green became associated with good luck on St. Patrick's Day.



*"If you tell the truth you don't have to remember anything."*

*— Mark Twain*

## DIVORCE AND SNOOPING

When divorce or separation happens, there are many important issues like child custody and finances that need to be settled immediately and oftentimes other, seemingly insignificant, issues get pushed aside, even forgotten about. Passwords, security codes, and access to personal information are some issues that need to be addressed as soon as separation starts. You should immediately change all passwords for every website that stores your information- email, bank, social media, online retail, medical, insurance, utilities, etc. If possible, put two-factor authentication in place for your data-sensitive accounts. Two-factor authentication means that when you enter your password, you will then get a text message with a one-time use code that also needs to be entered. This will prevent your estranged significant other (or anyone else) from accessing your accounts. Also, many of those data-sensitive sites use security questions for retrieving forgotten passwords. It's almost guaranteed that your Ex will know the answers, so you should change those security questions to ones they wouldn't know. You should also contact pertinent companies (like your doctor's office) and inform them that your Ex no longer has permission to access your information.

While it may be tempting to access your Ex's information when you know, or could easily guess, passwords and security answers, refrain from doing so because it could be illegal. The Virginia Computer Crimes Act (Va. Code Sec. 18.2-152 et seq.) covers computer fraud, computer trespass, computer

invasion of privacy, theft of computer services, and personal trespass by computer. This Act refers to not only tampering with or removing any information from your Ex's accounts (including deleting emails), but can also include simply accessing their accounts for the purpose of snooping around. It is also illegal to install spyware on your Ex's computer. Spyware refers to any "software installed on a computer without the target user's knowledge and meant to monitor the user's conduct." If you suspect your Ex may be hiding information that could help your case, ask your attorney to move for inspection or production of the information instead of self-help.

This discussion should also include our often-stated caution against putting anything negative about your Ex in writing, whether it's text, emails, or social media. This should also include anything that may reflect poorly on yourself, such as foul language, threats, etc. You don't want to send any of these messages to your friends and family either, as they could be subpoenaed to testify at any proceedings and those texts or emails could become evidence against you. The best course of action is to take the high road and wear the "white hat," whether it be to avoid negative writings or just oral statements - civility is the best course of action for contested litigation. You never know what will come out at trial or what the judge will focus on and things can often be taken out of context.

*We welcome your referrals!*

*We value all our clients. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. We want to thank you for your referrals and for coming back to us when we can be of service.*



South Your

### Deb Dishes:

I wanted to see if any of the latest recipe trends for Brussel sprouts, which I love, would be good with cabbage. I cut a whole cabbage in ¼ slices and laid out on foil on a cookie sheet. I drizzled olive oil, a dash of salt & pepper, real bacon bits and splashed three slices with balsamic vinegar dressing, then baked for about 15 minutes. Not bad. But I was craving something more so I decided to make a marinade out of olive oil, real bacon bits, lemon juice, and Worchester sauce. This time I cut the cabbage in six wedges. I use foil sheets so I placed a wedge on a sheet and spooned the mixture over the wedge, wrapped it up and placed each on cookie sheet to bake for 30 minutes. They cook a bit more after coming out of the oven, so if you like it al dente, take out after 20 minutes and if you like it really soft, cook for 40 minutes. While this way takes a tish longer to cook, the marinade was the key to the taste I was looking for! Next time I will cut them in maybe ½ slices, so they cook quickly, but use the marinade for more flavor. So how do you like Brussel sprouts or cabbage?

### On The Local Front

#### VETERAN SUICIDE PREVENTION

More attention has been paid to depression since the suicide of comedian Robin Williams. There are billboards on the roads, public service announcements and many memes and posts you see across the spectrum of social media outlets. This is also a topic of great concern amongst military veterans. Hampton Roads is heavily populated with military personnel and families, so it is important to be aware of the possible challenges facing our neighbors.

Brent Henry is a former marine, residing in Virginia Beach, who is trying to make a difference by bringing awareness to Veteran suicide prevention and post-traumatic stress disorder. On April 24th, he and his service dog Geneva will walk from here to Arlington National Cemetery in 22 hours to honor the 22 vets who commit suicide every day in America. That's double the rate for the general population. He wants all vets to know it's OK to reach out for help.

The Clay Hunt Suicide Prevention for American Veterans Act unanimously passed the US Senate and was recently signed by President Obama. This new law builds on previous actions to improve access to mental health services for veterans and their families.

The Veteran's Administration (VA) has increased its mental health staffing, expanded the capacity of the Veterans Crisis Line (1-800-273-8255 and [www.VeteransCrisisLine.net](http://www.VeteransCrisisLine.net)), and enhanced its partnerships with community mental health providers. If you know of someone needing assistance, please reach out and help them access these resources.

### Family Corner



Scottie Montagna, 5 ½ months old begins to enjoy real flavor! Deb and Bryant took a quick trip out to Indianapolis so "Grams" could get all those kisses and hugs she misses so much. Despite the snow storm start to the drive, the trip was great but as always, too short.



Avery and her partner Lianna during their Duo for Encore Dance Competition at Ferguson Center this month, which was the last of the season. They scored well in their division and even placed 5th overall for Duos/Trios for the entire competition. Lots of hard work, but paid off!



### Personal Injury

**Did you know that approximately 2,400 people a year are killed or seriously injured at railroad crossings? Almost two-thirds of all accidents occur during the daytime and fifty percent occur within five miles of the person's home. According to NHTSA, a person is about 20 times more likely to die in a crash involving a train than to die in one with another vehicle. Pay attention to all train crossing warnings and never try to beat the train!**

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Visit our website @ [www.pzlaw.com](http://www.pzlaw.com)

## INSIDE THIS ISSUE:

- Divorce and Online Snooping
- Facebook tips
- Veteran Suicide Prevention Awareness

## Tech Tip:

It's been two years since I tackled Facebook as a Tech Tip. I'm addressing new/updated tips this month.

### Security/Privacy

- One way to check to see if anyone else is accessing your page is by reviewing your Facebook log-ins. Go to Settings>Security>"Where You're Logged In" – this will usually show the location, browser, and device of log-ins. If you see anything suspicious, you can "end activity" from a particular device.

- Facebook now tracks your App and Web browsing history to show targeted ads. You can't opt out of this through Facebook; however, you can choose to browse in private with a little work. A good article on instructions on how to this is here: <http://goo.gl/mP00Dp>

### Useful Features

- Create an "Interest List." This feature allows you to collect posts from people/places you follow into one feed. To

create this, find the "Interests" link on the left column, hover over the name and click "more." Click +Add Interests on next page and you can create your own (or search other public lists).

- To keep your News Feed orderly, you should review it regularly. Hover over "News Feed" on the left corner and click the settings gear which pops up. Click "Edit Preferences" and you can unfollow any you don't want to see moving forward by clicking the "Following" button to switch it off.

- You can save for later posts you see, but don't have time to read. Click the arrow on the top-right of the post you want to save and click the button titled "Save "[name of story]" The link or video will be put in your Saved folder (which will be in the Favorites bar to the left of your page once you save your first post).

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



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February 2015 Newsletter | VOLUME 4 - ISSUE 2 | [www.ktparkslaw.com](http://www.ktparkslaw.com)



## JOIN ME MARCH 14!

Presenting "Identity Theft / Fraud Prevention"  
by Kellam T. Parks.

*Free educational seminar and materials*

**March 14, 2015, 1:30 pm – 2:30 pm.**

RSVP to reserve your spot:

[dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com) or 757-453-7579

Upcoming dates – 4/18; 5/9; 6/20, times tba.

Open to the public and all sessions will be held at  
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Virginia Beach, VA 23452.**

## *Kellam's Corner*



Last February I wrote about the Snowpocalypses we endured. We missed the first round this month, but got walloped the third week, with record-breaking temps and snow/ice shutting down Tidewater for almost a week. I hope you all stayed warm and safe. We've been busy in the Parks household with Avery's dance season kicking off (pictures to come in future Newsletters, of course) and all the family birthdays this month.

On the business side of things, I hope many of you can make my March 14 ID Theft/Fraud Prevention presentation –every attendee will receive a personalized 2-gig USB drive loaded with useful information and documents on the topic. Lastly, the firm has HUGE news to share in next month's Newsletter, so stay tuned for the big announcement!

## *Paying Child Support*



If your child's other parent is not paying child support, you may not withhold visitation. On the flip side, if your child's other parent won't let you see your children, do not withhold child support. Either instance could lead to jail or fines. Instead, try to calmly and rationally reason things out with the other parent. Make sure you document any and all interactions concerning the issues. If the two of you can't resolve your problems, contact your lawyer to discuss your options.



## *Did you know?*

The heaviest monthly snowfall occurs in northern New York, averaging 30 inches. The most snow ever recorded in a 24 hour period in the USA occurred at Silver Lake, Colorado in 1921 and was 76 inches of snow. Next was 63 inches in Georgetown, Colorado on December 4, 1913.



*"Strength does not come from physical capacity. It comes from an indomitable will."*

*– Mahatma Gandhi*

## BOOKING TRAVEL TIPS

With Spring Break fast approaching, there are dozens of websites and travel services offering cheap flights or hotels – many of which are scams. It's becoming more common to hear about someone booking a fabulous four-star hotel in Mexico only to get there and find they don't actually have a reservation, or there's simply no hotel at all.

The increased use of internet booking has made it much easier for scammers. One of the ways you can protect yourself is to research the company to make sure it is a legitimate business. See if the company has any complaints against it. TripAdvisor.com is a good resource to start your search.

You should also read everything before you sign. Most of us are guilty of just skimming the terms of contracts and clicking ok, but often the fine print contains hidden fees or clauses that give the company the ability to change your arrangements whenever/however they want. One of the big-name companies for cheap hotel rooms, while a legitimate business, states in the fine print that if another guest books a room through the hotel, they get priority - meaning you may get to the hotel only to find that they've given away your room (and that you agreed to this policy).

Sometimes it's best to just book through the actual travel or

accommodation company. You may spend a little more money, but unless there is a colossal mix-up, you're guaranteed a room or flight. Booking through the actual company, it can fix the problem, sometimes giving you extra perks.

Make sure that you are actually on the company's website. Some people will create sites that look like the hotels', but it's actually a third party that may then charge a booking fee. Also watch out for sites advertising outrageous deals. If the price they're offering is less than half the cost of trying to book through the actual company, it's probably a scam. The old saying, "If it sounds too good to be true, it probably is," applies here.

When booking trips, always pay with a credit card. This gives you the ability to dispute charges if problems arise. If the company won't let you use a credit card, don't book with them! Make sure you always get everything in writing and keep all correspondence. This gives you proof if you do need to dispute any charges. Finally, when you return from your trip, make sure you carefully check your credit card statements for errors or fraudulent charges.

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## Deb Dishes:

Its winter and that means more "big pot" meals at our house. It's hard to share some of my dishes because like my mother, nothing is written down, it just goes into the big pot - like Vegetable Beef Soup. I start with about 4 pounds of stew meat that I cut into bite size pieces and cut off excess fat if needed. I pour some oil in a deep pan and dredge the beef in flour mixed with some salt & pepper and cook till browned off. I cut up 1/2 of a medium size onion, 2 stalks of celery, 2 carrots, sautéing the vegetables in a bit of oil in my soup pot. When the veggies are tender I add 1 large can of tomato sauce and 2 cartons of broth (chicken or beef). I add 1 bay leaf and 2 tsp or so of Italian seasoning, salt & pepper. Then I add the beef. I let that simmer on low for about 2 hours or so. Then I add corn, green beans, lima beans and 3 handfuls of wide egg noodles. Let it cool down enough to place in fridge overnight, although we always manage to eat a few spoonful while it's warm! We make some of our cornbread & we have cold night comfort at our house!

## On The Local Front

### LAW ENFORCEMENT AND VIDEO TECHNOLOGY

Local agencies are trying to expand the use of technology to record video/audio encounters with suspected law violators. This technology would indeed be helpful from a legal standpoint to protect both officers and citizens from perceived misconduct claims. Norfolk just announced that 300 of its officers are now wearing a body cam, with the goal being all 750 officers having them by 2016.

One concern for the use of this technology is the cost, which is more than it may seem at first glance. It's not just the initial cost of the equipment and then repairs and replacement. It's also about training all those officers and the time and cost to catalog, maintain and retrieve thousands of hours of data as needed. There are also utilization costs, such as an officer might have to wait for another officer to arrive with a working cam if malfunctions occur, tying up more officers and time.

There are currently three bills (HB 1521, HB 2280, HB 1534) in the Virginia legislation addressing body cameras. A study group will now asses the various proposals in order to recommend guidelines for possible implementation. Tell us what you think about adding more surveillance on the job for local law enforcement.

## Our Offices - Then & Now!



Kellam and Deb's "Granny", Katherine Parks, recently turned 93 and was very happy to have so many visitors come to her nursing home and spend time with her. She had just had her hair done and was ready for company!



Welcome back Chery! Chery was out for several weeks due to planned surgery and we are so glad to have her return to the office. We all missed her smiling face! She also had a birthday, as did Alex, so we've had a bit of fun and cake!



## Personal Injury

Are you aware that Virginia law prohibits "teens" from using any cellular device when driving, even if it's hands-free? The only exception would be a driver emergency, and the car must be stopped or parked. There are also some strict regulations on curfew and having passengers in your car. Did you know that violating these restrictions can mean a suspension of their license? Check out the DMV's website for more specific details at <http://goo.gl/gjvaJX>.



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## INSIDE THIS ISSUE:

- Android Tips
- Booking Travel
- Vegetable Beef Stew

## Tech Tip:

### 2015 – ANDROID OS TIPS PART I

Since a lot of people have android-based phones and I recently gave iOS tips for Apple users, I wanted to share a few tips and tricks for Android OS too. I'll break these up over the next two months. Android OS is continually updated and they like to use candy names for their updates (starting with Cupcake (ver 1.5) back in 2009 and most recently Lollipop (ver 5.0) officially released in November, 2014). Not every device runs the newest OS and very few run Lollipop at this time, so I'm focusing my tips/tricks for the most prevalent, KitKat (ver 4.4).

This month's tip involves a new creative way to unlock your phone. You can secure your device in a number of ways, from the traditional PIN code or password, to drawing a

pattern on your phone. There is also in this version "Face Unlock." This feature captures your face and uses facial recognition to unlock your phone. It sets up a backup method in case there is an issue and also allows you to improve Face Unlock by taking additional captures for different light conditions, without glasses, without facial hair, etc. Lastly, you can require an eye blink to ensure that a picture isn't being used. The only caveat is this method is not as secure as traditional options (due to the technology to work quickly and with low-res cameras, not as discerning as you'd hope). However, if security isn't your highest priority and you want a more creative way to unlock your phone, this is a fun option. Depending on which phone you use, you get to it by either **Settings>Security>Screen Lock or Settings>Lock Screen.**

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



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## *Kellam's Corner*

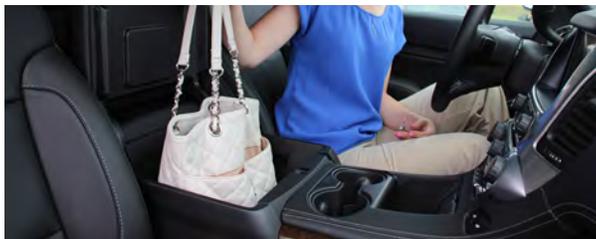


Welcome to 2015! This year marks the beginning of year four for the firm and we're excited for the continued growth and development of the practice. We've secured additional space in the next suite and expand next door in February to allow more room to grow.

My monthly ID Theft/Fraud seminars open to the public in March (see information to the left). I hope that you can make one of them to become better educated on how to protect your identity/credit and learn your rights if you've been compromised or there are mistakes on your credit report.

We wish you the very best for 2015 and look forward to hearing from you this year.

## *Hide Your Valuables*



Some shopping malls have parking lot signs advising you to hide your valuables. But if you are going to leave your purse, laptop, ipad, etc. in the trunk of your car, you should place it there before you get to your destination. There are thieves who hang out in parking lots looking for these actions, and once you're in the store they'll break into your car. Be aware of what personal information your purse or bag contains, just in case it leaves your possession.



## *Did you know?*

Snow is clear and colorless. "The complex structure of snow crystals results in countless tiny surfaces from which visible light is efficiently reflected. What little sunlight is absorbed by snow is absorbed uniformly over the wavelengths of visible light thus giving snow its white appearance." National Snow Data Bank



*"The secret of getting ahead is getting started."  
— Mark Twain*

## SAFETY IN THE CAR

Are you aware of the hidden dangers for children around automobiles? There are plenty of things that seem harmless enough until the unthinkable happens. It's important to not only be aware of automobile dangers yourself, but also so you can teach children. The number one thing to teach your child is that an automobile is a heavy, powerful machine that can cause harm and requires training to use properly. They should not play in, on, or around cars, or with any part of the car, whether the car is in motion or parked in a driveway.

We have reported how children can get hurt playing with automatic windows, but who would think seat belts are dangerous? There have been several news stories recently about children in the three- to seven-year-old age range playing with the seatbelt and getting it stuck around their necks, choking and unable to free themselves. One mother had to use scissors to cut her child out of the seatbelt. Children should be taught to never play with seat belts, window buttons, or door handles. Doors should be kept locked while driving, with child locks activated if available. Small children should remain seated with belts buckled until the car is parked and turned off, and the driver says it's ok to unbuckle. They should also know not to exit the car until an adult says it's safe. Remind them often about the dangers of running through a parking lot. Even when your car is parked in your driveway, it should remain

locked so children cannot access it. Some children think the trunk is a great place for hide-and-seek, but this is dangerous because they run the risk of becoming trapped and suffocating or freezing/overheating before anyone finds them. Most cars now have a safety release for escaping from the trunk, but you can't assume that a child will be able to react positively in an emergency.

You should never leave a child alone in a car, no matter how quick you think you'll be. Children can overheat in as little as 15 minutes, even during mild temperatures. Heat stroke can also happen in winter, when you have the heater running and your children are bundled up against the cold. Small children in a five-point harness system (infants and toddlers) should not wear heavy coats in the car. It requires loosening the harness to make room for child and coat, but these harnesses do not tighten up when in an accident like the regular seatbelt does. Instead, the material of a heavy winter coat may compress and allow your child to fall out of the harness or be injured by whiplash. Put your child in a thin sweatshirt and just have a heavier jacket on hand for once you've exited the car. You could also keep a small blanket in the car to put over their laps once they're strapped in. <http://www.kidsandcars.org/> is a great website to stay up to date on dangers and advancements in safety.

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## Deb Dishes:

Let's talk Chocolate. I love chocolate only 2nd to my family, but not just any chocolate. I discovered the Lindt chocolate store in Charlottesville many, many years ago and developed a whole new appreciation for "good" chocolate. Thank you Rudolphe Lindt for inventing the "conche," turning quality cocoa into the wonderfully delicate flavor we still enjoy today. And newer research (<http://goo.gl/7Fe836>) shows how your body works with darker chocolate to produce even more health benefits (40+) than known before! If you open chocolate and it has a chalky look, it's probably been exposed to temperature changes and is no longer tasty. The cocoa butter, especially in milk chocolate, can "bloom" and leave an oily outside and a bitter bite. While Lindt stores are no longer in Tidewater, I have found The Royal Chocolate in VB's Town Center that I enjoy very much. Besides the hand dipped apples and many other treats, they have "to go" or in shop fondue! I recently heard about The Bonbonnier in Norfolk. They offer apples too and many home-style treats made by hand as well as old time candies...I will be going there soon! Although I love all that is red, white and blue, don't be offended when I take a pass on those American brands of chocolate. Tell me your favorite!

## On The Local Front

### THE AFTON THEATER

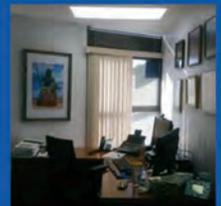
In the Cradock neighborhood of Portsmouth stands what is left of the Afton Theater. Built in 1937, it is one of the last remaining Art-Deco theaters. Lacking a roof, it has fallen in serious disrepair. Over the years many people have bought it with plans to renovate, but none were able to start the project. The Virginian-Pilot recently reported that Fred Schoenfeld acquired it for free in 2011 from David Beachler.

There is great hope that Schoenfeld may have the best chance, as 25 years ago he renovated the Commodore Theater in Olde Towne Portsmouth with much success and has been a consultant on other movie theater renovations across the country. He wants to turn the Afton into a "mini-Commodore," serving meals along with showing movies, but have it be non-profit. Many believe renovating the theater will revitalize the rest of the community, which originated as homes for shipyard workers in WWII. Needing new wiring and plumbing, paint, carpeting, seats, and a roof (just to start), he knows he needs at least \$500,000 for renovations, and is hoping to raise it through grants and donations. Some skeptics feel he is wasting his time and money, and successful neighborhood revitalization usually consists of a series of improvement projects, not just one. Others feel if you start with one, more can get under way. Any effort to improve a community is worth pursuing!

## Our Offices - Then & Now!

Then

Now



## Driving on Snow & Ice:

Even though we don't get much snow in Hampton Roads, occasionally we get enough to cause driving problems. Reduce your speed, keep your lights on and windows defrosted. If your car gets stuck, only use heat for ten minutes out of each hour. If you are in a remote area, do not leave your car, crack a window and occasionally check that snow is not blocking the exhaust pipe, otherwise you could succumb to carbon monoxide poisoning.



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## INSIDE THIS ISSUE:

- Children and Cars Safety
- The Afton Theater
- Apple iOS 8 – Part 2

## Tech Tip:

Continuing from last month, I'm wrapping up new features/tips for Apple's iOS 8 operating system. We covered messaging and privacy/security and this month we're tackling some of the more useful general features:

- More Robust Mail-Management – When you swipe an email, you can do more than just delete. If you swipe to the right, you can mark the email as read or unread. If you swipe left partway across an email, you can Move, Flag, or Trash the email and if you tap "More" you have even more options. Swiping all the way to the left will delete the email. Lastly, you can even customize the swiping options by going to Settings>Mail, Contacts, Calendars>Swipe Options.
- Show Related Messages – One of the "More" options discussed above is the ability to Show Related Messages. This will aggregate all relevant content in your mailboxes to help organize your reading.
- Contacts Shortcuts – When you double-click the Home button (which enters the App Switcher) there are circles above your open

apps. These are shortcuts to your recent and favorite contacts. If you don't want them, you can turn them off in Settings>Mail, Contacts, Calendars.

- Improved Battery Usage Information – iOS 8 doesn't necessarily boost your battery life, but it has added new battery usage information and management. You can find this under Settings>General>Usage>Battery Usage
- Lastly, there is a new Tips App which comes pre-installed. It is an easy-to-follow guidebook. Although geared toward new users, it may be a good refresher or a source of a new tip or two for experienced users.

There are more new features to this iOS, but the features/tips highlighted in the last two months are some of the more useful. Happy Apple-ling!

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

# STAYING *in Touch*

December 2014 Newsletter | VOLUME 3 - ISSUE 12 | [www.ktparkslaw.com](http://www.ktparkslaw.com)



## JOIN ME January 3!

Presenting "Identity Theft/Fraud Prevention"  
by Kellam T. Parks.

*Inaugural event exclusively for friends of the firm.*

**January 3, 2015, 1:00 pm – 2:00 pm.**

RSVP to reserve your spot:  
[dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com) or 757-453-7579

The 2015 regular seminar season will begin  
March 14th and will be open the public.

**All sessions will be held at  
M.E.O. Central Library, 4100 Virginia Beach Blvd,  
Virginia Beach, VA 23452.**

## *Kellam's Corner*



Another holiday season is almost over and December brings another birthday for Avery – she turned 17 this year and is in her junior year of high school. Hard to believe that next year she graduates and moves on with her schooling/career (dance still being the focus of her world)!

We're rounding out the year at the firm and looking forward to 2015. With adding Alex, we need more space so we're expanding into some of the suite next door beginning in February to give us another conference room and a few more offices. Also as discussed last month, our monthly presentations for the ID Theft/Fraud Prevention starts in January and the first one is invite-only to our list/friends/family. Details are to the left, we hope you can make it.

We wish you the very best for the end of 2014 and the beginning of 2015!

## *Personal Injury*



Auto accidents with injuries usually have two parts to their completion – (1) the repair to your vehicle and (2) compensation for injuries, pain & suffering, lost wages and the like. You should consult with an attorney before speaking with the at-fault driver's insurance carrier to ensure you do not hinder yourself from a fair settlement. What you say to them initially can have tremendous impact on your case further down the road.



## *Did you know?*

The Guinness Book of World records for the most Christmas trees cut in two minutes is 27 and currently held by Erin Lavoie of Virginia Beach! The most lights lit simultaneously on a Christmas tree is 194,672 and was achieved by Kiwanis Malmedy in Belgium.



*"A kind and compassionate act is often its own reward."*

*— William John Bennett*

## FAMILY ID SAFETY ON GAMING SYSTEMS

We hear more and more about parents handing their smart phones to children to play with and then receiving a bill for hundreds of dollars spent on game apps, but have you considered the potential hazards of home systems' video games? With an estimated 91% of kids playing them, video games are one of the most popular toys for children. Personal gaming systems have come a long way since the original Nintendo Entertainment System was released in 1985. Aside from the obvious graphic advancements, today's systems (like Xbox, PlayStation, and Wii systems) are hooked up to the internet and allow you to connect and play with people all over the world. But in order to connect with other gamers, you must first create an account with your personal information - usually a user name, a password, your full name, date of birth, physical address, email address, and a credit card. As with all internet connections, they are vulnerable to hackers. We've mentioned before, if you use the same passwords for multiple sites, then all of those sites become compromised when one is hacked.

Last summer Ubisoft (creators of Assassin's Creed), Konami (Dance Dance Revolution), and Nintendo all reported that hackers had breached their systems - gaining access to names, birthdates, addresses, phone numbers, and passwords. Each company contacted the affected users and worked to shore

up their systems, and Konami even took steps to ensure the hacked accounts couldn't be accessed anymore.

There are a few ways you can reduce your risk of being hacked: Make sure the account password is tough to guess or decipher. Treat it as a high-risk site and use a mix of characters, letters, and numbers, and change it several times a year. Two-factor authentication is also a good tool. This requires logging in with a password and then also entering a verification code which would be sent to your phone or computer. This would be tedious to do on a regular basis, but it significantly cuts down on hackers' abilities to access your account. Make sure you and your kids are aware of the possibility of phishing scams, like an email asking for your personal login information. Sometimes these emails will contain website links that look valid but are fake. When in doubt, contact the game provider directly, don't respond to the email or click the link. You can also research each game provider to see if they've been hacked before, and if so, how they responded to it. How quickly did they react when the breach was discovered, did they contact their customers, and what did they do to remedy the situation? A company that reacts quickly to fix the problem and provides customer follow-up will give you more confidence in using their services.

*We welcome your referrals!*

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## Deb Dishes:

"I sure do like those Christmas cookies, babe"... sing it George Strait! We will be busy at our house making many varieties of sweet treats, because everyone has their own favorites and I love to bake. I have to make our family's traditional Christmas morning breakfast of cream cheese blintzes for my house, Kellam's house, and Popsie's house. And of course send along a jar of the freezer jam made back in May from locally picked strawberries. Many of our family holiday favorites, like chocolate crinkles (Kellam's favorite), sugar cookies, chocolate chip, fantasy fudge, almond pillows, pumpkin butterscotch, pumpkin roll (another favorite of Kellam's), succarinas, and cheese wafers are on our website (<http://www.ktparkslaw.com/library/recipe>), you really should try them! About 20+ years ago I was given a small green glass pot wrapped up cute with small gingerbread men that were thick, soft & delicious. I have often thought of those cookies and many times tried to find a soft gingerbread cookie recipe. I love the taste of gingerbread cookies and cake. Do you have a favorite holiday cookie recipe or have you found a soft gingerbread cookie recipe? If so, please share with me at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). Merry Christmas and happy baking to all!

## On The Local Front

### LOCAL HOMELESS CHILDREN

Recently the Virginian-Pilot has run several articles highlighting the plight of the homeless. One article that really stood out was about the effects of homelessness on children. The Journal of the American Medical Association Pediatrics recently released research that shows child poverty is on the rise. Not since the great depression have so many U.S. families been without homes. These would be families without a permanent address and can include those who are living with family or friends or in a motel. Approximately 1 in 45 children are homeless, with 42% being under the age of six years old. South Hampton Roads spends approximately \$31 million a year on services to help these families, which can include health care, foster care, transitional housing, school programs, and transportation to and from school.

Homelessness can have a lasting effect on a child's life, especially if it continues long-term. It can lead to a decline in academic performance and a greater chance of dropping out of school, drug usage, committing crimes/jail time, and teen pregnancy. All of those problems then follow the child into adulthood causing a lack of employment opportunities, a reliance on welfare or other social aids, and lasting health problems. We need to do everything we can for the youth to break the cycle. There is a foundation called Stand-Up for Kids that works to better the lives of homeless children in our area. Visit: <http://goo.gl/tpBkJL> to learn what you can do to help homeless children in our area.

## Family Time...



Deb hosts a "decorate your gingerbread house" party for the kids to get creative!



Kellam's daughter Avery takes a break from dance rehearsals to happily begin decorating the Christmas tree.



## Family Law:

To avoid frustrations on sharing children, keep these tips in mind: Plan ahead on who will have children when and let the children know ahead of time. Create new traditions, share your family stories. Keep in touch and be a part of holidays with a phone call to tell them you love them. Don't go overboard with gifts and outings, be reasonable. Be merry! Seeing parents happy and enjoying time with them makes children feel relaxed and loved.



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## INSIDE THIS ISSUE:

- Game App Security
- Christmas Cookies
- Apple IOS 8 Part I

## Tech Tip:

As Apple's iOS 8 has been out for a time now and a lot of people have upgraded, I am discussing new features/tips for the upgraded operating system for the next two months (as there are a lot of them).

### Messaging (Texting):

- Add Quick Photos and Videos – Tap the camera icon to gain access to your library. If you press and hold the icon, a new radial menu pops up, letting you snap a quick pic or record video within the messaging app.
- Add Audio Clips – To the right of the compose field is a microphone icon – if you tap and hold it, you'll get a radial menu that lets you quickly record audio clips and send them.
- Do Not Disturb feature – If you are part of a group message, you can click on the "Details" button and turn on "Do Not Disturb" so that your phone doesn't ping endlessly. You can even "Leave this Conversation" to discreetly leave.

- Auto-Erasing Texts – You can now set messages to expire in 30 days, 1 Year, or 2-minutes for audio messages. Go to Settings>Messages to make the changes.

### Privacy/Security:

- You can now selectively clear your browsing history (it used to be all or nothing). Go to the history menu and tap "Clear" at the bottom right – you have options and if you swipe over a single entry, it can be deleted.
- Interactive Lock-Screen Notifications – You can swipe left on a lock-screen notification and you'll get the same interactive options you see in the home screen (delete, mark as unread, or reply)
- Send Last Location – If you lose your phone (or it is stolen), Find My Phone will beam its last location before the battery drains. Go to Settings>iCloud>Find My iPhone.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

November 2014 Newsletter | VOLUME 3 - ISSUE 11 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Elizabeth River Tunnels Tolls
- Online Shopping Safety
- Hacking Fraud Big Concern



## *Keep it Safe!*



There are some essential items that should be kept in your glove box. You should have your car owner's manual, insurance card, registration, pen & paper, emergency phone numbers (including friends or family, AAA or other roadside assistance, and state police), and a flashlight with batteries. An old cell phone is also a great thing to have- keep it fully-charged and powered off. All phones will connect to 911, even if they aren't connected to a network.

## *Kellam's Corner*



We wish everyone a safe and wonderful Thanksgiving. The firm wouldn't be the success it is without the trust and support of all of you and we're thankful to have such good friends and clients – so Thank You from all of us here at the Law Firm of Kellam T. Parks!

As a preview of things to come for the firm – I'll be giving a presentation on ID Theft/Fraud Prevention and Credit Reporting Issues one Saturday a month beginning in January at Virginia Beach's Central Library. We'll have more information in next month's Newsletter, so be on the lookout.

Lastly, as wonderful as the holidays are, we know they can be stressful, especially in the family law arena. Should you encounter any issues, please contact us so we can help.



## *Did you know?*



The first Macy's Thanksgiving Day Parade in 1924 drew a quarter of a million people and featured costumed Macy's employees, professional bands, and animals from Central Park Zoo. Today, over 3.5 million people attend the parade, and another 50 million tune in to watch from their homes.



*"Whatever you vividly imagine, ardently desire, sincerely believe, and enthusiastically act upon must inevitably come to pass."*

*— Paul J. Meyer*

## HACKING FRAUD BIG CONCERN

Topping current worries, Ebola outbreak aside, is having our information hacked. Identity theft is one of the fastest-growing crimes today. During the winter holiday season it's more prevalent due to the high volume of consumer spending. People are rushing around to prepare for the holidays and the multitude of purchases make it easier for someone to put fraudulent charges on your card without you noticing. More and more people shop online these days, simply because it's more convenient than leaving the house, finding parking, fighting the crowds, etc. Unfortunately, it's also more convenient for thieves to steal your information. When shopping online, make sure you're using a secure website. The address will have "https" instead of just "http" and should display a certification from a trusted company. There should also be a small picture of a padlock, usually in the browser.

At the stores, hackers are still using card skimmers to steal your credit or debit card information, so here are some tips to spot them. Look out for stand-alone machines, such as Redbox and always inspect the card reader before swiping your card. Gas stations and ATMs are frequent sites of card skimmers since there isn't an employee standing over each machine, which makes it relatively easy to attach and remove a skimmer from these locations without anyone noticing. Be aware that if the reader doesn't match the machine's style or color, it could be a skimmer. If something looks "off," go

inspect another machine, they should be identical. When possible, use your credit card instead of debit card. Needing to enter a PIN with a debit card makes you more vulnerable, not only with skimmers, but also to a physical attack from someone who may be watching and waiting to mug you. If you must use your debit card, make sure you cover the keypad so no one (cameras included) can see your PIN. In most cases it's relatively easy to fix a fraudulent charge on your credit card, but if your debit card is hacked it could take months – or longer – before you get your money back.

Another trick thieves use includes placing a fake keypad over the real one to record your PIN. If the keys seem hard to push, remove your card and use another machine. Card skimming can also happen at bars and restaurants because consumers hand off their credit card, trusting the wait staff. In the hands of the wrong person, your card could potentially be replaced with one that looks like yours, with yours being taken on a shopping spree. Pay close attention that it's actually your card you get back. A hand skimmer could also be used before your card is returned to you.

As always, keep a close eye on your both your bank and credit accounts. Be sure to check them every few days, especially if you've been making many transactions.

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## Deb Dishes:

Duck Donuts. They cost a bit more, but they are hot, fresh made to order with an array of 10 glaze choices and 5 toppings. I'm talking chocolate icing with coconut or maple icing with chopped bacon – real bacon! It's a foodie haven, and yes they have those healthier options like yogurt, fruit and juice. But donuts will not do for the Thanksgiving feast, so we'll have juicy herbed Turkey breast, Granny's mac-n-cheese, weirdo beans, smashed potatoes, chipotle gravy, collard greens, stuffing, Paul's cornbread, Courtney's sweet potato casserole, Sister Shubert's rolls, cranberry sauce, Kelly's bacon green beans, corn pudding and green stuff. Many of these recipes can be found on our website at <http://goo.gl/C8k8CC>. How do I make my turkey and my collards? You take softened butter, add chopped fresh herbs, roll into a small log then freeze. Cut ¼ inch slices of butter and place them under the skin all over the turkey. Once we had turkey this way, we've never cooked it any other way. As for the collards, our Southern Mom taught me to buy fresh collards and a whole pack of salted ham bits. Look where you find the packaged country ham slices. Collards cook down so I never worry that they don't all fit in the pot when I first start boiling them. Enjoy your feast!

## On The Local Front

### ELIZABETH RIVER TUNNEL WOES

It seems like every other month there is an article in the Virginian-Pilot about the problems with Elizabeth River Crossings ("ERC") and their management of the tolls at the Downtown and Midtown tunnels. Bills never arriving, cars being charged the price of a tractor-trailer, people being charged a processing fee because the sensor didn't read the E-ZPass responder, checks never being cashed, and trouble getting definite answers or solutions when a call to the company is made.

ERC blames Minnesota-based Company 3M, the contractor that provides the tolling equipment and software, for the malfunctions. The contract with 3M stipulates certain standards must be met for three continuous months, including a 99.95% accuracy rate for reading an E-ZPass transponder and a 99.98% accuracy rate for the vehicle's classification, but they have yet to do so. Each month they don't achieve those standards, their performance requirements restarts. After almost a year, will there be any repercussions? Despite those required standards, with approximately 94,000 vehicles using the tunnels each day, this still leaves room for "dozens to a couple of hundred potential misreads daily," so it's important that you keep an eye on your E-ZPass account. Even though there needs to be some personal responsibility for making sure your charges are accurate, the whole point of the E-ZPass system is to simplify things, not add another hassle. If you do notice a problem, ERC recommends you call them directly at 855-ERT-ROAD before calling E-ZPass.

## Family Law:

If a military parent is not paying child support, you should think twice before contacting their Commanding Officer. Yes, the CO can take action against them, but it may end up being detrimental to you and your children. The military member could end up being promoted or have disciplinary action taken against them which could prevent them from being promoted, which would mean less support for your children. Instead, contact your attorney first and try to settle it without military intervention if possible.

## Family Time...



Bryant & Deb meet Scottie! Deb drove to Indianapolis to finally get her hands on her newest grandchild, the first of many trips during Paul's four years at dental school. The cousins had a great time being reunited and enjoyed Chuck E. Cheese, Buca Di Beppo Italian restaurant, and the amazing "The Park." It's an indoor 6+ level jungle gym and Bryant's new favorite place to play. Here Mia, Bryant, Max & Scottie are having bedtime stories on their last night together.





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## INSIDE THIS ISSUE:

- Elizabeth River Tunnels Tolls
- Online Shopping Safety
- Hacking Fraud Big Concern

## Tech Tip:

A now-annual tradition, for the upcoming holidays this month I'm sharing my favorite online shopping places and tips.

The first place I check is [www.amazon.com](http://www.amazon.com). In addition to good prices, there are also usually great reviews of the items I am considering. You should consider their Prime service to get free 2-day shipping and a host of other benefits (Prime Instant Video, Prime Music, unlimited photo storage in Amazon Cloud Drive, early access to deals, Kindle Owner's Lending Library, and you can even share the membership for up to 4 household members). For electronic purchases, I also check out [www.newegg.com](http://www.newegg.com), [www.tigerdirect.com](http://www.tigerdirect.com) and [www.rakuten.com](http://www.rakuten.com) (formerly Buy.com). These all have great selections and low prices.

To investigate electronic products, I always check out [www.cnet.com](http://www.cnet.com). They usually have some consideration of the product I am looking into and I have found them to be spot on. Another good

resource for in-depth reviews is [www.thewirecutter.com](http://www.thewirecutter.com).

When you have settled on a purchase, don't forget to check to see if there are any online coupons or discounts. More often than not, a discount code exists somewhere, especially for the more traditional retailers. Good sites to check are [www.retailmenot.com](http://www.retailmenot.com), [www.coupons.com](http://www.coupons.com), and [www.savings.com](http://www.savings.com).

Lastly, be sure to be safe when shopping online. Ensure that the site is secured (look for a padlock icon in the address bar and an "s" in the URL address ("Https:"). Consider using PayPal or another payment service so that the vendors don't have your credit card information.

I hope this information helps you save some time and money when shopping this holiday season!

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

October 2014 Newsletter | VOLUME 3 - ISSUE 10 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Child Car Safety
- Virginia is for good living!
- Cyber Security Awareness



## *Credit on Hold*



Service members can place an "active duty alert" on their credit reports while deployed. This alert will require businesses to take extra steps before granting credit in your name. You will need to contact a credit reporting agency, request the active duty alert, provide proof of identity, and mark your calendar for a year (alert must be renewed, if needed). Verify that the alert has been placed for all three credit agencies before deploying and keep copies of all correspondence for your records.

## *Kellam's Corner*



October was as busy as I thought it would be! My ID Theft/Fraud Prevention presentation at the Shred Event held by Rauch Financial went well, with many people in attendance learning how to protect themselves, avoid credit disasters, and how to rectify issues with their credit reports. If you, or someone you know, has any credit report issues, please feel free to contact me for assistance.

My two legal seminars on legal technology and ethics also went well. I enjoy speaking and writing about this topic and bringing (sometimes dragging) my fellow lawyers into the 21st Century when it comes to legal technology.

Lastly, our firm is participating in Breast Cancer Awareness Month. As we've said on our social media pages, our office can dress down on Fridays so long as they wear something pink and make a \$5 donation. They are also accepting donations, so come by to see them!

## *Did you know?*



Because the 1978 movie Halloween was on a shoestring budget, they had to use the cheapest mask they could find for Michael Meyers, which turned out to be a \$2 William Shatner Star Trek mask. Shatner initially didn't know, but when he found out years later, he said he was honored.



*"I long so much to make beautiful things. But beautiful things require effort—and disappointment and perseverance."*

*— Vincent van Gogh*

## CHILD CAR SAFETY

Whether you are a first-timer or a veteran, there are a few things to keep in mind while driving with children. The safest place for children twelve and under is always in the back seat. If you must place an infant or toddler in the front seat, make sure the passenger airbag is turned off. Every passenger in your car should have his/her own seat and seatbelt. In an accident, two children who are sharing a seatbelt could have their heads knocked together with fatal results, and a child held in your lap could be crushed or thrown through the windshield. Virginia Law requires all children up to 8 years of age be in a car seat.

Thousands of children are injured in car accidents every year, despite being in car seats. Studies indicate that 80% of car seats are not installed correctly, which means that they may not protect your child in an accident. Most fire stations will inspect car seats for proper installation. Make sure your car seat is appropriate for the children's age/weight. For all five-point harness systems on infant/toddler seats, the harness should be snug, with just barely enough room for your hand between the straps and the child. The cross-strap should be high on the child's chest, about at armpit level. If it sits too low, your child could be ejected from the seat.

From birth through two years, children should be in a rear-facing seat. Most babies outgrow the infant carrier around one

year old, but there are toddler seats that can be rear-facing from one to two years old, and then convert to forward-facing. From two through four they should be in a forward-facing toddler seat, still with a five-point harness. From five through at least eight they should be in a booster seat. After eight years of age, they can lose the booster seat if they have reached the proper height so that the lap part of the seat belt sits across the upper thighs (not stomach), and the shoulder strap lies across the chest and shoulder (not the neck or face). For all of these guidelines, make sure you also follow the height/weight recommendations of the seat's manufacturer, each can differ slightly.

Many people also don't realize that car seats expire, usually six years after manufacturing. They are made of plastic that can become brittle and break down over time, especially when exposed to the extreme heat and cold that comes with being in the car year-round. Destroy seats that have passed the expiration date, as they are unsafe in accidents. The National Highway Traffic and Safety Administration also recommends replacing car seats that have been in moderate or severe accidents even if there is no visible damage because the integrity of the plastic has likely been compromised. Often the insurance company compensating for the accident will cover the cost of replacement. It may seem expensive to change car seats so often, but the safety of your child is worth it!

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*We value all our clients. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. We want to thank you for your referrals and for coming back to us when we can be of service.*



## Deb Dishes:

I know its October and Pumpkin Spice everything is everywhere, but I'm still craving grilled foods. So I found this great recipe on Pinterest for Balsamic Glazed Steak Rolls. You can switch up the veggies you put on the inside, which I did for some of the rolls, as I am not a fan of peppers or zucchini. I love the glaze, which is quick and can be made for other dishes. Might have to try some over pork tenderloin! Another reason to love this recipe, although more time consuming, you have meat and veggies all in one serving! While the recipe calls for stove top cooking, I like to put this one on the grill. You can find this recipe detailed on our website at <http://goo.gl/8RMmK2>. For those of you who really want to try something pumpkin, you will also find Kellam's favorite Pumpkin Roll recipe at <http://goo.gl/r3xCFx>. There is also Courtney's Pumpkin Butterscotch cookies at <http://goo.gl/XRHL1y>. If you want to see any of the many recipes I've talked about in the past, please feel free to visit our website at [www.ktparkslaw.com](http://www.ktparkslaw.com), choose Library, select Recipes as the category and you will find pages of great, time tested recipes like Paul's cornbread, Cara's white chicken chili, Granny's mac-n-cheese, and many more!

## On The Local Front

### VIRGINIA IS FOR GOOD LIVING!

Last month Virginia Business magazine reported Virginia Beach, Alexandria, and Chesapeake had made the list of "America's 50 Best Cities to Live" by 24/7 Wall St. They started with cities having more than 65,000 residents from the 2012 U.S. Census. The rankings were based on employment, crime, education, economy, climate, housing affordability, and infrastructure (leisure activities, airports, hospitals, and transportation). Cities whose unemployment was more than 33% above the 2013 national rate and violent crimes at least 25% higher than the 2012 national rate (from FBI data) were eliminated.

Chesapeake ranked 48 with the better of the three in economy – median income (\$65,000), and lowest cost of living. Surprisingly, violent physical crime is double from the other two cities. Employers like Altec, Canon, and Dollar Tree are headquartered here helping to keep unemployment well below the national average.

Alexandria, ranked 43, boasts the higher rate of educational attainment (63.9% have at least a BA) and the lowest unemployment. Despite expensive living, with housing being more than double the median for the rest of Virginia, the infrastructure ranked slightly better, due to the high use of public transportation (22.7%).

Virginia Beach was ranked the highest of the three coming in at 37 with higher educational scores (Math, Language Arts, Science and overall) and more leisure activities. While overall crime is low, car theft is higher here than the other two cities. Unemployment is also low with a large presence of military branches employing civilians.

And, in case you are curious, ranking number one is Newton, Massachusetts. You can review the full report at <http://goo.gl/Fba5Ve>.

## Family Time...



Lia's son Grant decided to join the ranks of the folks in blue for Halloween. I'd give him candy, as I would not want to be arrest by this tyke.



We want to welcome Deb's newest grand-child "Scottie" – wearing Mickey Mouse of course! Scott Wayne Montagna, born 9-26-14, weighing 7lbs 10oz. Congrats to Courtney, Paul, Max and Mia.

## Family Law:

Wondering if your spouse's deployment will delay your divorce proceeding? The Service Member's Civil Relief Act allows suspension of civil action involving deployed service members until they are home and able to fairly participate. However, service members can waive their right to delay proceedings, thereby allowing the finalization of your divorce while they are deployed. If your divorce is uncontested, proceeding seems reasonable. We can discuss in more detail if this scenario applies to you or someone you know.





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## INSIDE THIS ISSUE:

- Child Car Safety
- Virginia is for good living!
- Cyber Security Awareness

## Tech Tip:

October is Cyber Security Awareness Month and so this month I am going to focus on information and tips regarding online/mobile security. As I've written about a few times, you must have strong, secure passwords. My favorite password manager is LastPass ([www.lastpass.com](http://www.lastpass.com)). LastPass will even check the strength of your existing passwords to see what you should change. Even if you don't use a password manager, ensure that your passwords are secure - consider using passphrases that no one will ever be able to guess or crack, but are easily remembered by you (for instance - "My\_favorite\_movie\_of\_all\_time\_is\_Star\_Wars").

Another good resource is the National Cyber Security Alliance's website - <http://www.staysafeonline.org/>. This site has a ton of information for both individuals and businesses on how to be smart about online safety/privacy. There are also good resources on

the U.S. Homeland Security's National Cyber Security Awareness Month 2014 website - <http://goo.gl/h9hFHx>.

I'll leave you with some general tips as to your mobile devices:

1. Be sure to set a passcode
2. Activate auto-lock so that your device is protected when you are not using it
3. Set a maximum allowable number of pass code attempts (so that the device is wiped if someone tries to hack it)
4. Consider installing a tracking app for locating your device if lost

Be smart about your online and mobile security because those that would take advantage certainly are - better you than them!

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

# STAYING *in Touch*

September 2014 Newsletter | VOLUME 3 - ISSUE 9 | [www.ktparkslaw.com](http://www.ktparkslaw.com)



**SATURDAY, OCTOBER 4TH**  
9:00 - 1:00

1407 Stephanie Way Suite C  
Chesapeake, VA 23320

Presentation by RSVP only

RSVP by September 26th  
757-424-8906

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Doug Rauch with Rauch Financial  
&  
Steve Burton with Equity 1, Inc  
and Income for Life  
as heard on WNIS









## *Kellam's Corner*



I hope everyone's back-to-school went as smoothly as it did for us here at the firm - we have a collage of pictures of the first day of school in our Family section. We'd love to see your family's back-to-school pictures, so email them to us or share them on our Facebook page.

Next month is a busy month, starting with the ID Theft/Fraud presentation I'm giving at an event held by Rauch Financial - the details are in the announcement inserted on this page. If you want to attend the presentation part, you need to RSVP by 9/26 - there is only room for 80 people. I am also giving two legal seminars - a half-day seminar presented by the VSB Legal Tech Committee on the 14th and a two hour seminar the next day presented by the Norfolk Portsmouth Bar Association. Details of both can be found here: <http://www.ktparkslaw.com/library/general/>.

## *Personal Injury*



In rainy weather, we need to be even more alert for pedestrians. They tend to dart through parking lots and cross streets with their shoulders hunched over and heads down, sometimes not paying attention to oncoming traffic because they are just trying to get out of the rain. Keep in mind that you are dry and safer in your car - give pedestrians that extra minute they need to hurry out of the way.



## *Did you know?*

The coins thrown into the Trevi fountain in Italy are collected by the charity Caritas to help pay for aid shelters and feeding the poor. It is estimated that over \$4,000 is tossed in each day. Throw a coin into the fountain to ensure a return trip to Rome!



*"I've failed over and over and over again in my life and that is why I succeed."*

*— Michael Jordan*

## COLLEGE AND CREDIT CARDS

Summer is over and many of you have sent kids off to college. Now you worry if you've prepared your children enough for living on their own- do they know how to do laundry, can they cook a meal without burning the dorm down? Top of the list should be - do they know how to create a budget and stick to it? Too many kids graduate high school and don't know how to even balance a checkbook. News that kids are getting out of college with massive amounts of financial debt isn't just from tuition loans. Now that they are 18, they are a target market for credit card companies.

The Credit Card Act of 2009 requires anyone without an income to have a co-signer and parents often fill this role. Irresponsible spending by your children could put you on the line for whatever debt they incur. Keep in mind, late payments are reported to the credit reporting agencies for everyone on the account.

As experienced adults, we are aware of marketing schemes that our children are not. One is the "0% Intro APR" offer. Your kids might not realize that if the balance is not paid off by the set number of interest-free months, they will be hit with huge interest rates, often accruing from the total amount borrowed. Many retail stores offer a discount on the first purchase if you open an account, but these often come with high interest rates and unforgiving policies. Not the best card for

students with little to no income. Also, be wary of cards that offer rewards for usage. While getting money back sounds great, this can sometimes lead to over-spending in pursuit of those often elusive reward points.

According to Sallie Mae's 2009 National Study of Undergraduate Credit Card Use, the average student has 4.6 credit cards. 40% report charging knowing that they didn't have money to pay the bill, 60% report experiencing surprise at how much debt they had accrued, and 84% report needing more education on financial management. Only 17% report paying off the balance each month, and 19% report graduating college with credit debt greater than \$7,000. NerdWallet gives advice for some of the best credit cards for students at: <http://goo.gl/5D-pX9G>. Talk with your children, prepare them for some of the pitfalls of credit card use, and make sure they know to check their credit report on a regular basis.

We recommend getting a full free report from the credit agencies every 12 months. **[How to - <http://goo.gl/GcE9Q>]** Credit Karma is a great free service that allows you to not only monitor activity on your credit reports, but also obtain constantly updated credit scores (which are not included in the free reports given by the agencies). You can find that site here: [www.creditkarma.com](http://www.creditkarma.com).

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## Deb Dishes:

EAT. A delightful little place located at 4005 Atlantic Avenue at the oceanfront. Slip into a cozy bar area for any of their many microbrews, wines, and cocktails; featuring a blackboard wall of food and drink specials. Inside the restaurant is a beautiful full ocean view, or better yet try the patio. While the restaurant is not big on space, it is big on flavor and satisfying your pallet with an eclectic menu featuring meatballs stuffed with fresh mozz ("little"), Tuscan kale Caesar ("green"), cheese assortment ("between"), aged cowboy steak ("big") and charred asparagus ("on the side") just a few of the many choices. My recent visit was my second and the gulf shrimp and Virginia grits were delicious, and served visually pleasing as well. Not the small cheesy grits you usually find, but real GRITS. Served with a "pan sauce" of which I could not quite name the ingredients, but very tasty. All the staff I have interacted with are friendly and helpful, especially Robert, the bartender. He will explain any listed offerings and help you decide on a meal pairing if you ask. From reading the menu, you gather they have a sense of humor as well. Well worth the trip when you want to enjoy finer cuisine, beach atmosphere and relax. I look forward to my next visit, as I'm curious about the "spaghetti ala mamma" and several other dishes!

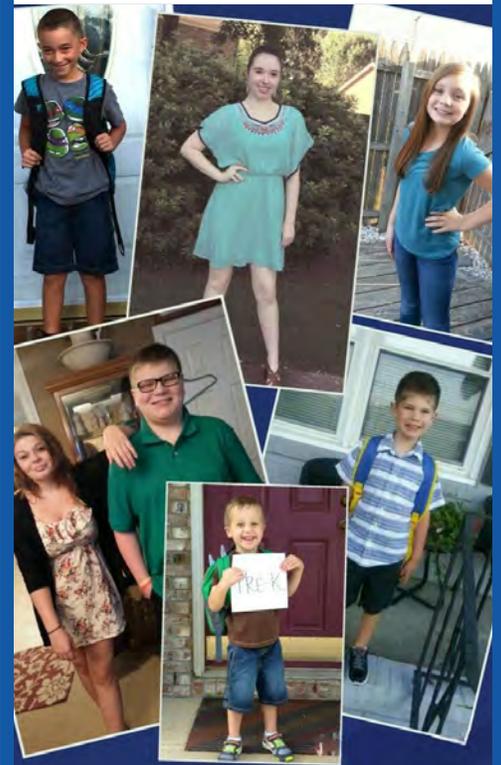
## On The Local Front

### VIRGINIA WATERMEN

Wavy.com and PilotOnline have recently reported concerns of local fishermen over being run out of business. Tighter government restrictions are affecting their ability to make a living. There have been 20 new regulations in less than 25 years, and the watermen claim the regulations are not achieving their intended goals. The Virginia Blue Crab Industry Panel recently released a study showing that the number of spawning-age blue crab females has dropped to unsafe levels, which caused the Virginia Marine Resources Commission to reduce the allowable harvest of female blue crabs by ten percent. The watermen claim this is a "knee-jerk reaction."

The Virginia Waterman's Association would like to see an annual catch limit, without seasonal or location restrictions. However, if every waterman chose the same timeframe to gather their full harvest, they could potentially wipe the oyster and crab populations to the point that repopulation is unsustainable. It is a daunting task officials face, trying to find the balance between not decimating wildlife and the watermen's need to make a living. With all of the restrictions Virginia watermen face (and more coming), if they aren't able to fill the demand, other states' watermen will step in and take over supplying local businesses. The number of watermen has drastically dwindled in the last 30 years. Virginia developed a Waterman Training Program for watermen who wish to supplement their incomes by developing tourism-based businesses. Benefits of the program include an alternative source of income for watermen, connecting them to the public as educators and Chesapeake Bay stewards, with an emphasis on the benefits of buying local seafood.

## Family Time...



Back to School for our collective family of kids! Lots of smiles here from Bryant (2nd), Avery (11th), Julia (6th - 1st year in middle school), Kaitlyn (12th), Colin (9th - 1st year in high school), Grant (Kindergarten-1st year in elementary school) and Maxwell (pre-K - 1st classroom).... but I suspect the parents had bigger smiles. Ok, so maybe a few moms were teary-eyed (Lia & Cara), but we wish them all a great year! Make your parents proud.

## Family Law:

To keep custody/visitation transfers smooth, follow a few simple tips. Give children plenty of notice. Remind them early in the week, and again the day of, when they are going with the other parent. Allow them to take favorite clothes or toys. Don't keep everything "Mom's stuff" and "Dad's stuff," it's "their stuff" and can provide comfort. Dropping children off instead of picking them up will help make them feel less like they are being "taken away" from one parent.





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## INSIDE THIS ISSUE:

- In College & In Debt
- Back to School
- Local Waterman

## Tech Tip:

This month I am revisiting iPad productivity Apps. A few of the most useful Apps that I use and recommend:

- **GoodReader:** File management system allowing you to organize, access, and annotate files.
- **Dropbox:** Secure password-protected Cloud service which allows you to transfer documents from your computer (or any device) to the iPad.
- **Notability:** A note taking App which lets you either type or hand-write notes.
- **Evernote:** the holy grail of organizers; it allows you to compile notes, photos, recordings and makes them all searchable and syncs with any device where it is installed.
- **Microsoft Office Apps:** If you want to draft and edit Microsoft Of-

ice files, the best solution is to use the now available Office Apps; however, they require a 365 paid account to do anything other than view files. Alternatives (though with limited total functionality) are (1) Citrix ShareFile Quick Edit - allows the viewing and generation of Office files and (2) SlideShark: allows the presentation of PowerPoint files.

- **LogMeIn:** Paid service which allows remote access to two computers from any other computer and its App allows this access from your tablet.

- **iThoughts:** Probably the best mind mapping tool for iPads.

Some of these Apps are free, others cost a few dollars, but I find them all very helpful in my day-to-day needs. You should check them out.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

August 2014 Newsletter | VOLUME 3 - ISSUE 8 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- New Attorney Hire - Alex Cloud
- Norfolk's Outlet Mall Project
- Car Maintenance Safety



## *Credit*



Be careful what you upload to your USB drive ("thumb drive"). It's a small, easily lost, easily forgotten data bank. Don't share your thumb drives or borrow someone else's devices. These devices contain a fatal design flaw - anything that connects via USB can be "programmed" to pose as another device and take control of your computer. USB duping is not a virus and therefore your computer is unprotected. Don't allow others to charge their cell phone on your computer for the same reason.

## *Kellam's Corner*



We're excited to announce the addition of Alex Cloud as a new attorney for the firm. Alex is a fellow William and Mary Law School alum and has six years' litigation experience. He'll be focusing primarily on our domestic relations practice and has hit the ground running. More information about Alex can be found on our website: <http://goo.gl/NHcU2G>.

I'll be giving a presentation on ID Theft/Fraud Prevention on October 4 at an event put on by Rauch Financial. I anticipate it being a great day of useful financial information and will provide more details in next month's Newsletter. I was also recently published in the Virginia Trial Lawyer's Journal - a lengthy piece on how to run a modern law office in 2014. A copy is on our website if you are interested: <http://goo.gl/Wa7PZd>.



## *Did you know?*



Monopoly is the most-played board game in the world, with over 100 editions, including New York City, Star Wars, Barbie, and Disney. In 1941 the British Secret Intelligence Service had a special edition created for WWII prisoners held by the Nazis. Hidden inside were objects the prisoners could use to escape, including maps, compasses, and real money.



*"Don't worry when you are not recognized, but strive to be worthy of recognition."*

*- Abraham Lincoln*

## TEN TIPS FOR CAR SAFETY

Our May blog about Hampton Roads Transportation and Operation Center's annual report discussed the importance of keeping up with your car's maintenance. This article goes into more detail on how to keep your car better maintained for saving money and safety. Here are our top ten tips for staying safe:

- **Routine maintenance** - This is one of the best ways to extend the life of your car and prevent major costly repairs. Follow the manufacturer's suggestions and take your car in to help prevent unexpected breakdowns. You don't have to know much about cars to open the hood and see if the belts and hoses look worn. Replacing a worn part before it breaks can prevent greater damage and more costly repairs.
- **Tires** - Check tire pressure at least once a month, including the spare. Being over or under-inflated can lead to the tread separating from the tire. Worn tread can also be hazardous in wet conditions. Uneven tread wear can indicate a problem with alignment, wheel balance, or front-end suspension.
- **Battery** - Many people just assume that a car battery will last the full 5 years. Unfortunately, extreme heat/cold and even dirt kicked up from the road can shorten a battery's life. Driving only short distances daily can shorten the life of a battery as well, as it never gets fully recharged and changes the chemical makeup. Using a load tester, available at any car parts store, check the battery every time you change the oil.
- **Noise** - Strange noises could indicate a slipped or damaged belt, while a shaky steering wheel could indicate a problem

with your brakes or front-end alignment. (Side note- if your music is too loud, you might not hear a problem until it's too late.)

- **Fluids** - Look under your car- is it leaking fluids? There are six fluids you should check at least once a month: coolant, brake, transmission, power steering, oil, and windshield washer. If you are constantly refilling fluids, you most likely have a leak.
- **Warning lights** - Don't ignore them, they are there for a reason. Today's car systems are electronic and when one thing goes out, it could affect other systems.
- **Wipers** - Wipers become brittle with exposure to the elements and should be replaced every 6-12 months.
- **Seatbelts** - Make sure your belts are working and every passenger is always properly belted. Seatbelts reduce injuries by 70%, and unbuckled passengers may become projectiles in an accident. Never put a child under the age of 13 in the front seat with an active airbag.
- **Distractions** - Keep all distractions to a minimum. This includes, but is not limited to, eating, switching radio stations, cell phones, and your GPS. Texting while driving is against the law in Virginia.
- **Emergency roadside kit** - In the event that you do break down, there are a few things that are very important to have on hand. Visit our blog for tips on how to make your own kit. <http://goo.gl/zOxxLz>.

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## Deb Dishes:

My son Paul brought this recipe to our house and it's a keeper. Cucumber Salsa. It's one of those recipes that is passed around, so we do not know who to give credit for coming up with this fresh and healthy snack. There are many variations online. Here's ours: 1 large English cucumber-cut into ¼ thick pieces, 1-2 garlic gloves, minced, 1 jalapeno pepper-finely chopped, 3 green onions-whole piece-finely chopped, 2 Tbsp. fresh cilantro-finely chopped, 2 Tbsp. fresh lime juice (1 lime usually does it), 1 tsp lime zest (grated lime peel-1 lime usually does it), 2 Tbsp. extra virgin olive oil, ½ tsp salt – optional, ¼ tsp pepper – optional. This is an easy recipe, but it does take time to finely chop up all these ingredients & is best after some refrigeration to have all flavors meld. If you usually get thin chips for dipping, I advise you use thicker chips for scooping this salsa. You can find this recipe on our website at <http://goo.gl/ZG3zIM>. I also found the easiest way to cut and store watermelon and wanted to share. I've done this so I know it works: <http://goo.gl/ZgJdgZ>. Do you have favorite restaurant? A favorite recipe? Send it to me, as I am always looking to try new dishes to share!

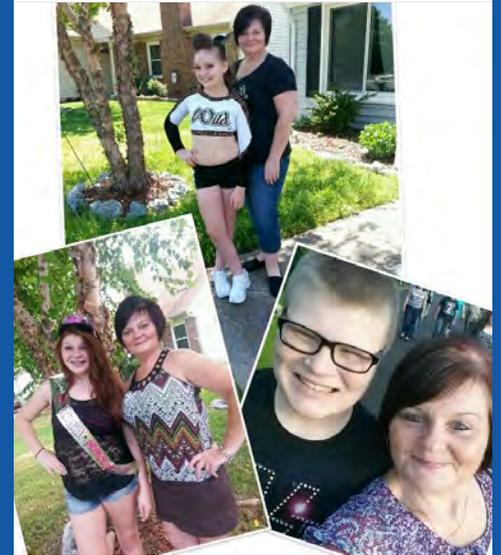
## On The Local Front

### NORFOLK'S OUTLET MALL LOCATION - GOOD OR BAD?

For about a year, the Virginian-Pilot has been keeping us informed about the new upscale outlet mall that Simon Property Group is looking to build at the Lake Wright Golf Course in Norfolk. The plan is to start construction this Fall, pending getting Virginia Beach to rezone 5.5 acres of land for parking. Wavy.com recently reported that wastewater installation and a pump station have been approved, and Norfolk's city spokesperson Lori Crouch seems confident that construction won't be a problem despite Virginia Beach. Virginia Beach City Council put in place a resolution blocking any rezoning or road site plans without briefing city council first due to issues facing the City of Virginia Beach with this location.

Many residents of Norfolk and Virginia Beach oppose the project. On the plus side, it's projected to bring in 300 construction jobs, 800 retail jobs, and approximately \$3.3 million in tax revenue to Norfolk and about \$7.2 million to the state each year. Norfolk City leaders hope that being located directly next to I-64's Northampton exit will bring in travelers who might otherwise just pass through town. On the downside, this I-64 exit/entrance is already heavily congested with no land to address traffic lane needs. Since Norfolk has a severely limited amount of green space, many residents feel that the failing Military Circle Mall, just off 264 would be a better location. What are your thoughts on bringing this outlet mall to Lake Wright?

## Family Time...



Chery with her cheer competitor daughter Julia, her concert buddy - son Colin, and Kaitlyn her rising senior in High School.



Alex Cloud and his bride of three months, Beth.

## Family Law:

With all of the social changes over the last century, many people are surprised to learn that adultery is still a crime in Virginia. Having an affair can not only ruin a marriage but it is also a class 4 misdemeanor. That means that it is a crime punishable by a fine and the stigma of having a conviction. Adultery may also be a crime under military law, depending on the circumstances.





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## INSIDE THIS ISSUE:

- New Attorney Hire - Alex Cloud
- Norfolk's Outlet Mall Project
- Car Maintenance Safety

## Tech Tip:

This month I am discussing the need to wipe your computer and phones before getting rid of them. Our cell phones and computers contain a lot of sensitive personal and business information. It is imperative to completely "wipe" your old devices before you trash, donate, or sell them. Without taking the appropriate precautions, whomever ends up with your device potentially has access to whatever private information you had on that device.

For Computers: To completely wipe your computer hard drive, you need to use hard-drive-wiping software (deleting files and even formatting the drive is not enough). There are several options available online, perhaps the best is DBAN ("Darik's Boot and Nuke"), which happens to be free. A good review site with download link here: <http://goo.gl/raxLLY>.

For Cell Phones: (A) Android: Interestingly enough, a "factory reset," has been shown not to completely wipe these devices. To completely wipe Android phones: (1) Ensure fully charged (as process can take an hour or more); (2) Open Settings; (3) Select Security; (4) Select Encrypt Phone; (5) Once finished encrypting, choose Restore Factory Settings. This will ensure that any lingering data will be inaccessible. (B) iPhones: (1) Ensure fully charged; (2) Go to Settings>General>Reset and choose "Erase all Content and Settings." That's it.

For all phones, you should also remove any SIM and SD cards before you get rid of your cell phone. Following these simple steps, you can dispose of your devices worry free.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

July 2014 Newsletter | VOLUME 3 - ISSUE 7 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Changes in Virginia Law
- Don't release balloons into the air
- Kellam is published, again!



## *Credit*



While several banks will issue EMV (chip-and-pin) credit cards to overseas travelers, some are starting to issue these cards for use here in the United States. This is great news, as they reduce the risk of thieves stealing your information using skimmers. EMV cards encrypt the transaction data in a different way each time the cards are used and require a pin number to complete the transaction. JPMorgan Chase recently announced that they would start issuing EMV cards later this year, joining American Express and Bank of America.

## *Kellam's Corner*



The Parks family had a great time in OBX over the July 4th holiday and weathered Hurricane Arthur - just a lot of wind and rain for a day or so. July is always a busy month personally, as it holds both my wedding anniversary and birthday. This year was a big one, with Kelly and I celebrating our 10th anniversary and it also marking my 40th birthday.

At the firm, we've gathered some important changes in the law for you in this month's Newsletter - should you have any questions about any of the new laws, don't hesitate to call us. My article about lawyers' ethical duty in being competent with technology was published in the Virginia State Bar's official publication (Virginia Lawyer) in April and is on our website. <http://goo.gl/7Q3a8i>



## *Did you know?*



The Pan-American Highway is the world's longest "motorable road." It stretches over 30,000 miles from Argentina up to Alaska. In July 1937, Bolivia, Chile, Columbia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, and the U.S. signed the Convention on the Pan-American Highway, with the intention of creating one road linking the Americas.



*"Nothing gives one person so much advantage over another as to always remain cool and unruffled under any circumstance."*

*— Thomas Jefferson*

## CHANGES IN VIRGINIA LAW

July 1 is the date most new laws passed by the Virginia Legislature take effect. Although the *Virginian-Pilot* ran a story on June 29 that covered more broadly applicable laws, here are some of the more notable changes this year in our practice areas. We've given the link to the new law's text beside each.

**Virginia Code §16.1-279.1:** Amends Family Abuse Protective Orders - now if the court grants temporary exclusive possession or use of a motor vehicle owned by the petitioner or jointly owned by the parties to the petitioner, the court can also direct the abuser to maintain insurance, registration, and taxes and prevent the termination of same. This will not affect title to the vehicle. <http://goo.gl/4KoMr9>.

**Virginia Code §20-108.2:** Child Support Guidelines have been raised for the first time in 19 years. This will constitute a "material change of circumstances" if the change constitutes a "substantial variance" of the existing support amount. This isn't precisely defined in the law, but is an issue for the court to determine after filing, so we can expect an influx of cases being filed after July 1 to increase child support. <http://goo.gl/dLGrCi>.

**Virginia Code §8.01-420.8:** This new law protects confidential information in court files by requiring reasonable effort by the party filing to redact information such as social security numbers, credit and bank account information, and other identify-

ing numbers. <http://goo.gl/yMISwT>.

**Virginia Code §§16.1-241 and 20-124.1:** Step-Grandparents have been added to those people with "legitimate interest" involving custody, visitation, and support matters (so that they can now file and be a part of those proceedings).

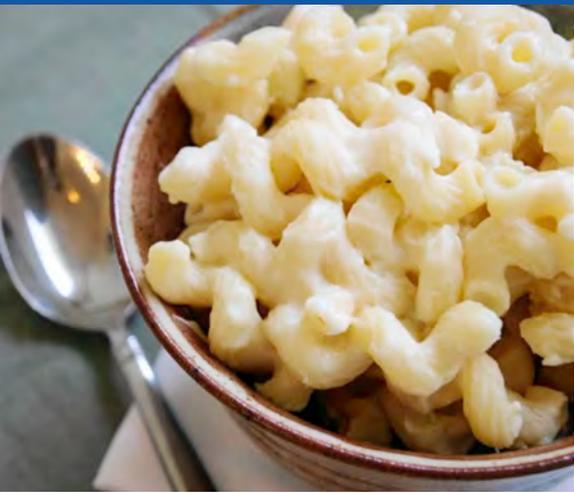
<http://goo.gl/0YqItu>

**Virginia Code §§59.1-444-1 and 59.1-444.2, adding §59.1-444.3:** Security freezes on protected consumer's credit report. This pertains to consumers younger than 16 or an incapacitated person, where by their representative may request the freeze which prohibits a credit reporting agency from releasing credit information until the freeze is removed. This will be in effect January 1, 2015. <http://goo.gl/iN2WVV>.

**Virginia Code §55-248.2, et seq.** As usual, there were numerous changes to the Virginia Residential Landlord Tenant Act (VRLTA). If you own residential rental property, or are a tenant in same, you should review the VRLTA each year to keep up with your rights and responsibilities. A few of the changed/added provisions include reducing the qualifying number of properties to fall within the VRLTA from ten residences to two; defining how local government fees may be divided among tenants; and additional guidance on how to bring cases before the courts and what is covered in those cases. <http://goo.gl/zH4ZM7>.

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## Deb Dishes:

Is it a sports bar? Nope, but you can watch sports on the TVs. Is it a café? It has more beer than coffee, over 100 craft varieties. Dress code? Nah- casual chill and bring the kids. Does it serve breakfast? How about some chicken & waffles anytime of the day! It is my newest find (thanks Cara) called "Hair of the Dog", located in Loehman's Plaza on Virginia Beach Boulevard. As the name implies they serve various Bloody Marys and Mimosas that will surely assist in the next day cure. The food is what drives me to new places and the hair on this dog was quite appealing by my spicy chicken wrap along with a side of Gouda mac-n-cheese. While the chicken and dumplings are nothing like my mom's (or Cracker Barrel), it is a tasty chicken stew-biscuit type of fare. I was impressed to learn that they have a finicky culinary team that insist on using cage-free eggs, free range chicken, and grass fed beef to provide a quality dining experience. Burgers (with waffle buns), salads, shrimp & grits, meatloaf, pancakes, wraps, deserts and more can be found on the menu with most having signature combinations. I now must return many times to indulge in more items from the menu. Yes- it was that enjoyable!

## On The Local Front

### VIRGINIA AQUARIUM'S STRANDING RESPONSE TEAM

The Virginia Aquarium's Stranding Response Team recently made headlines by releasing several rescued sea turtles back to the ocean, including "Shredder." Shredder was missing almost half of his back from either a shark bite or boat strike. Besides rescuing live animals, they also collect dead animals that have washed up on our shores (such as the hundreds of dolphins during the past year). The Team studies these animals to learn more about them, including determining their cause of death. All too often, the deaths are a result of human interaction, whether it's due to boat propellers, becoming entangled in fishing nets, or the consumption of trash.

One item they've been finding more commonly in the animals' stomachs is balloons. Although illegal in many states, Virginia included, releasing balloons has become a popular way to celebrate birthdays, weddings, holidays, and even in memoriam of a loved one. Like the plastic bag, balloons can look like tasty jellyfish, but cannot be digested, therefore it blocks the digestive tract and the animal slowly starves to death. A Kemp's Ridley sea turtle washed up on the Eastern Shore earlier this summer, having died due to ingesting a balloon. These turtles are critically endangered, meaning they face an extremely high risk of extinction. This sad event could have been prevented had humans not been negligent in disposing of the balloons. We must remember to make a conscious effort to protect the often-unseen wildlife along our shores.

## Family Time...



Kellam and Kelly's (and Avery) beach wedding at the Beach Club at Duck Inn 10 years ago this month. How time flies!



Deb's son and family came down for a week of fun in the sun, sea and sand before moving to Indianapolis for Paul to attend dental school for the next four years. The cousins enjoyed their time together!

## Family Law:

Be cautious before agreeing to terms with your spouse during divorce proceedings. They may seem fair, but could end up being less than beneficial. Make sure you understand not only the immediate results, but also the long-term implications of each decision. This is why having an experienced lawyer is necessary. Your lawyer will explain what is legally sound, and look out for your best interests so that you know exactly what will be expected of you now and in the future.





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## INSIDE THIS ISSUE:

- Changes in Virginia Law
- Don't release balloons into the air
- Kellam is published, again!

## Tech Tip:

### We're going doing a few miscellaneous tips this month.

1. [www.justdelete.me](http://www.justdelete.me) is a great resource to cut through the red tape and easily get rid of those unwanted accounts. It has aggregated information as to how to cancel and remove accounts from web services.

2. To stop the seemingly-endless game requests from your friends on Facebook, follow these steps: (1) Click on the invite when it comes in; (2) You'll get a message of "Play Now" or "Cancel." Choose "Cancel;" (3) The game application page will pop up - click the "Block" option; (4) A confirmation box will pop up - choose "Confirm;" (5) You'll get the notification "Block Successful" - just close that box and no more notifications for that game!

3. The last two tips involves Gmail:

a. Undo sent emails - go to the settings cog icon in upper right of screen and choose "Settings" from drop down menu. Next choose the "Labs" tab near the far right and then Enable the "Undo Send" feature. Now you'll have a few seconds to "Undo" a sent email in case you were hasty in hitting send.

b. An easy way to organize your mailbox is to enable more than just the default golden "Star" next to email messages - go to "Settings" again and stay in the "General" tab. Scroll down until you see "Stars:" and choose at least "4 Stars." Save the Settings at the bottom and now you can just click the star next to an email to cycle through the new options to quickly keep organized.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

June 2014 Newsletter | VOLUME 3 - ISSUE 6 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Social Media Thieves
- Bon appetit – Greek style!
- Rubber Duck in Norfolk



## *Car Seat Recalls*



Malfunctions with a child's car seat that lead to recalls happen more frequently than you would expect; such as a buckle that sticks, or a harness that doesn't stay connected. It's very important for the safety of your child to address any potential issues immediately. If you registered your child's car seat with the manufacturer, you should receive recall notices. If you haven't, check this website to find out if there has been a recall: <http://goo.gl/02GVrq>.

## *Kellam's Corner*



Summer has begun and with it comes the end of school, vacations, and the continuing heat. Summer also brings the majority of Virginia's law changes, which take effect on July 1. We'll be highlighting some of the major changes for you in our next Newsletter.

The firm's business continues to grow and we're excited to say that we're actively looking for an experienced associate to assist us with the Family Law part of our practice. The details of who we're looking for can be found on our website, if you or anyone you know may fit the bill. <http://goo.gl/1lffrC>

As usual, we love to hear from everyone - share with us your vacation pictures and news.

## *Did you know?*



Can you "taste" food without saliva? Dry your tongue, close your eyes (sight gives you an expectation of taste) and have someone place dry food on your tongue. Chemoreceptors in your taste buds require a liquid to allow flavors to bind. Salvia contains the enzyme amylase, allowing sugars and carbs to taste "right."



*"Great thoughts speak only to the thoughtful mind, but great actions speak to all mankind."*

*— Theodore Roosevelt*

## SOCIAL MEDIA AND CRIME

With social media sites, sometimes what seems like a harmless comment could open you up to identity theft, burglary, or worse. According to howstuffworks.com, 40% of social media users allow "open access" to their profile, meaning anyone can see what they post. One of the most important things to remember is once you post something on the internet, you don't control the content anymore and it's never gone. Personal information and pictures you don't want shared are now accessible to thieves and foes alike. Even if you use the strictest privacy settings, there is always the possibility that a friend who doesn't realize the potential for harm could disclose your information. Risks include local hackers, not just the criminal enterprises that target large corporations like Living Social, eBay, Michael's, et al. Aside from not posting your full name and birth date (or that of your children), you should also refrain from posting your home address and phone number. If someone needs that information, send it to him or her in a private email.

There's no doubt that social media is a great tool for keeping in touch, getting people involved and spreading the word about various activities. However, posting your social plans also tells people that you won't be home. A study done by Credit Sesame found that 80% of the thieves interviewed used Facebook, Twitter, Foursquare, and Google Street View to plan their heists. Send private invites when you want people to join you. Same goes with travel plans; you don't want everyone

knowing you'll be gone for an extended period of time. If you have a friend coming to take care of your pets or house, ask them not to post anything about it. You should also wait until you've returned home to post any pictures and details about your trip.

Refrain from posting anything at all about your finances; where you bank, what investments you have, and whether or not you are doing well financially. Think of all the websites you use that require passwords; banking, bill paying, email, online shopping accounts, etc. Most of these sites also use security questions in case you forget your password. They might ask for something like your mother's maiden name, a pet's name, high school mascot, or oldest sibling's name. Now think of the innocuous comments you may post online- "I had to take Fluffy to the vet today," or "I can't believe our 20 year reunion is coming up! Granby High class of 1994!" If thieves already know where you bank, the clues that could help them access your accounts or steal your identity are there for the taking.

Often we "friend" new acquaintances or people we knew many years ago. They may well be the people you don't want having access to your personal information. Facebook allows you to separate people into groups, "friends" or "acquaintances." Utilize this option, and tag your posts accordingly. There is truth to the phrase "TMI", the best rule when it comes to social media is that many things are better left unshared!

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## Deb Dishes:

Hope you made it to the Greek Festival in Norfolk last month! The food was delicious and the entertainment interesting. Having tasted some of the fare offered created further cravings, so I set out to find some Greek flavored foods to cook at home. First, I found a spice mix that can be used as a rub or in side dishes to give them Greek flavor. You mix 2 tsp Black pepper, ½ tsp salt, 1 Tbsp Onion powder, 1 Tbsp Garlic powder, 2 tsp Parsley, 2 tsp Paprika, 1 tsp Cinnamon, 1 tsp Ground Nutmeg, 1 heaping Tbsp Oregano, and 1 tsp Thyme to make about ½ cup of the mix. I took 3 large chicken breasts-cut each into thirds, rubbed a drizzle of olive oil on each and then sprinkled the spice mix all over the chicken pieces and into the Ziploc bag to marinate overnight. I then grilled them, along with some corn on the cob. We liked it so much; it will now be a staple in my kitchen. And who knew Spanakopita was so simple? Cara and I both love this spinach, cheese and filo dough side dish. You will find the recipes on our website @ <http://goo.gl/HnO3IG> Do you have a favorite Greek restaurant or recipe? Let me know at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com), I'd love to try it!

## On The Local Front

### DUCK IN THE HAGUE

It seems everyone has been talking about the Duck in The Hague for quite some time now. The 40 foot inflated rubber duck was the star attraction for the reopening of Norfolk's Chrysler Museum. The art display was set afloat in The Hague from May 17th-26th. There was even a 24/7 live stream of "Rubber Duck" so you could see all the folks visiting.

Dutch artist Florentijn Hofman states his "Rubber Duck" is indeed art that has brought smiles to millions of faces, so he does not seem concerned with opinions to the contrary. He even flew to Norfolk to sign small rubber duck souvenirs. He builds his temporary art in open places that may not be favored by the local community or go unnoticed. His art makes you notice that space indeed and when he removes it, you see the space anew. Since Hofman began his Duck work in 2007, there have been several ducks of various sizes displayed in Belgium, Japan (where he is proclaimed a rock star), Brazil, China, Australia, Taiwan, and more. The Pittsburg Cultural Trust owns this particular piece of Hofman artwork, in storage since last October's Festival, but it is Hofman who determines where his artwork will be displayed next.

As for the Chrysler Museum, the re-opening has been a tremendous success! Be sure you go and see how transformed the experience has become. Refurbished galleries, extended outdoor displays, and more local artists' works are now on display.

## Family Time...



Avery before her first Prom. She had dance rehearsal right before the event and our office is on the way, so she and her mother used our place as the pit stop to get ready. Dad had late-night pick up duty!



Deb, Cara & Bryant saw the amazing Cirque Mechanics performance at Towne Center. If you want to see what events are coming, follow our Pinterest board "Local Events" at <http://www.pinterest.com/ktparkslaw/>.

## Family Law:

If you and your spouse can't agree on spousal support (alimony), the Court will step in and determine the amount and duration of support. There are 13 factors set by the Code of Virginia that they take into consideration for final divorces, one being the age and physical or mental condition of any children that would prevent one spouse from working outside the home. Check out our website for more information: <http://goo.gl/wNfEcr>.





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## INSIDE THIS ISSUE:

- Social Media Thieves
- Bon appetit – Greek style!
- Rubber Duck in Norfolk

## Tech Tip:

We're wrapping up discussion of Spring cleaning your computer this month with organization and speeding up your system.

If you've owned your computer for any length of time, you've no doubt downloaded a ton of files and just dumped them wherever. There is a free tool I recommend that with a little training will allow you to automatically file the mismatched files where they should go (such as all .jpeg files to your pictures folder). Dropit (<http://www.dropitproject.com/>) is open-source software, so it takes a little work to get it set up properly, but the website has documentation to help if needed.

In addition to misplaced files you actually want to keep, odds are you have numerous old files and downloads you don't want/need anymore. To assist in identifying what is taking up space on your computer, you can use a program such as WinDirStat (<https://windirstat.info/download.html>) which visualizes the space on your

drives and you can then delete whatever you don't want/need.

Beyond the easy-to-locate files/programs, you can also run a program such as CCleaner to locate and then choose to purge files that waste space you may not need (such as temporary internet files, etc.) The free version can be found here: <https://www.piriform.com/ccleaner/download/standard>. Before you delete anything, just be sure what you are deleting you don't need.

Lastly, to speed up your start-up, you can use CCleaner to see what programs are running on boot-up. Under "Tools" on the left of the program is an option for "Startup" that will show you all the programs that run when your computer starts. Anything you don't want/need you can disable.

Using the tips over the last three months you've hopefully gotten your computer clean and running better than ever!

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

May 2014 Newsletter | VOLUME 3 - ISSUE 5 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Auto Accidents and Rain
- Wind Turbine Project
- Computer Backups



## *Kellam's Corner*



I hope everyone enjoyed the week or two of spring weather - May has brought the changing summer weather, with heat and crazy storms (but at least we're not all freezing anymore I suppose.) Speaking of change, the firm is happy to welcome Chery Seys, our full-time admin assistant to the team. Chery is a mother of three that comes to us after working for many years in the legal field and serving in the Navy. Read Chery's full bio on our website - <http://www.ktparkslaw.com/bio.cfm>.

On the family front, Avery finished out the dance competition season; however, unfortunately developing a stress fracture in her foot. Will be a long summer recuperating and convincing her to stay off of it!

## *Credit Report Errors*



Some errors are easily identified and corrected, like addresses, the spelling of your name, or a date of birth. However, too often the Credit Reporting Agencies do not fully investigate incorrect, negative credit reporting. As many of our clients have discovered, correcting errors on your credit reports can become a long and difficult process which often requires the expertise of an attorney to be completely successful. If you want to learn more about the process visit our website at <http://goo.gl/slJ9Zj>.



## *Did you know?*

A bridge designed by Leonardo da Vinci over 500 years ago has been built in Norway. It is the first major civil engineering project to be built from his drawings. Originally sketched for the Sultan Bajazet II of Istanbul, the Sultan's engineers said the bridge couldn't be built.



*"In order to succeed, your desire for success should be greater than your fear of failure."*

*- Bill Cosby*

## DRIVING SAFELY IN THE RAIN

Did you know that the occurrence of auto accidents increases by approximately 200% in rainy weather? Unfortunately, people simply do not change their driving habits when driving in the rain, but here are a few tips for staying safe in those conditions. The most obvious is to reduce your speed and drive cautiously. Remember that during the first thirty minutes of rainfall the roads can become extremely slick due to oil on the road mixing with the rain. Increase your following distance, as it takes about three times longer to brake when the roads are wet. Give yourself plenty of time to get to your destination and don't allow the tailgater behind you to pressure you into driving faster than you are comfortable going. Do not use cruise control, as you will increase the chance of hydroplaning. Hydroplaning happens when your tires can't push water out of the way fast enough and you end up driving on top of the water instead of the road. This is extremely dangerous due to lost traction and the inability to control your car. If you start to hydroplane, reduce your speed by first removing your foot from the accelerator then breaking gently if needed. Remain calm, look and steer in the direction you want to go. You can also lose traction and control as your front tires stop moving, so avoid slamming on the brakes. Making sure your tires are properly inflated with plenty of tread can also help prevent you from hydroplaning.

Headlights are not only necessary to help you see, but also to

make your car more visible to others. That's why it's Virginia law that if your windshield wipers are on, your headlights must be on as well. Windshield wipers should be replaced at least once a year, even if you don't think you use them very often. Sunlight and exposure to the elements break down the rubber and make them brittle.

Be considerate of other drivers on the road. You might be confident in your ability to drive in the rain, but be aware of the extremes in other drivers - the excessively timid and the reckless maniacs. Don't race past other cars, especially in areas where puddles are likely to form. Speeding through puddles throws up water, which can startle other drivers and obscure their vision, causing an accident. During and immediately after a heavy rainfall, be mindful that puddles can be deceiving. It may look like there's barely any water, but it could actually be deep enough to flood your car. A good rule of thumb is to avoid roads without curbs. Curbs are typically six inches high, so they can give you a good estimate as to the depth of water. Proceed with caution only if the water is below the curb line. If you are ever unsure, turn around and find another route.

Remember that slow and steady is the best way to go with any kind of inclement weather.

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## Deb Dishes:

I've been looking for foods that I love and seldom have, like the German fare I seek when I'm at Busch Gardens. Thanks to Groupon and my adventurous side, I now know I can head on over to The German Pantry on Virginia Beach Boulevard in Norfolk. They specialize in hearty portions of German cuisine featuring Rouladen, Veal and Pork Schnitzels, and my favorite side – spaetzle! I tried to make homemade spaetzle noodles once. Yep, just once. My Mom started my love of spaetzle with Birds Eye frozen green beans and spaetzle. Here, the dishes are all homemade, even the desserts are made daily on the premises. We tried the sausage bites and the French fry platter with various sauces. I loved the boom-boom and curry ketchup sauces, while Cara loved the Jaeger gravy best. I enjoyed the Veal Rahm-Schnitzel in a tasty cream sauce. Cara had the spicier Veal Zigeuner-Schitzel with sautéed peppers and onions. Bryant enjoyed the kids' chicken nuggets. They also carry a variety of German beers on tap and bottled. You can buy various German "pantry" items to take home including chocolates, cooking ingredients, bottled beer and beer glasses. I noticed all the guests seem to be enjoying their meals and the staff is friendly and polite. We took home dessert, the Bienenstich and many leftovers!

## On The Local Front

### WIND TURBINE PROJECT

Dominion Virginia Power is one of three companies to be awarded \$51 million dollars from the US Department of Energy to help fund the construction of two 6-megawatt wind turbines. The Virginia Offshore Wind Technology Advancement Project (VOWTAP) and Dominion believe their innovative ideas will reduce the cost of future offshore wind energy projects. Because of the various parties utilizing the waters (the Navy, NASA, Coast Guard, commercial fishing, and ports), it took extended negotiations when deciding on a location.

The VOWTAP will be located approximately 26 miles off the coast of Virginia Beach in federal waters. Dominion has leased an adjacent area with plans to apply the technology developed in the project to their commercial site. Development of resilient designs for commercial sites with hurricane prone regions will be tested here to ensure safety and cost effectiveness. The VOWTAP should generate enough electricity to power 30,000 homes and be up and running by 2017.

Besides bringing many Virginia companies together to assist in this endeavor, many high skilled jobs will be created and it is estimated that a full offshore industry could generate about 10,000 new jobs in manufacturing, construction, and supplies. It's a good day for Virginia's future in becoming a leader in developing new technology for renewable clean energy, as well as creating local jobs.

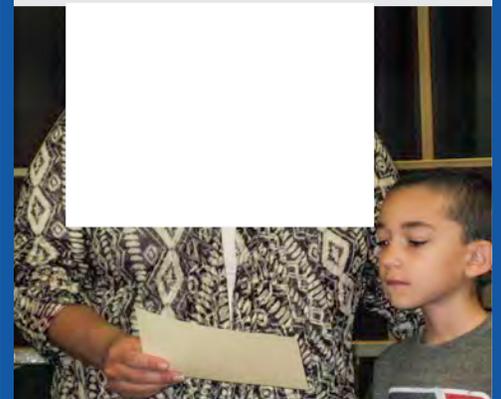
## Family Law:

What is a Guardian ad Litem (GAL) in family cases and why would you need one? A GAL is an attorney appointed by the court to assist in determining the best interests of the children involved in a case. The GAL investigates all sides of the situation, talking to parents, teachers, friends, etc. They receive special training and their responsibility is to try to determine what's best for the children and then make recommendations to the court. Visit our website for more information: <http://goo.gl/EJ9Pua>.

## Family Time...



We took a slight detour on the way to Avery's big dance competition in SC to hit South of the Border. I can safely say, for better or worse, South of the Border hasn't changed any!



Bryant was awarded "Awesome Student of the Month" and was presented an "awesome" pencil and certificate by Vice-Principal [redacted] for his Math skills and helping his classmates master facts and learn strategies.





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## INSIDE THIS ISSUE:

- Auto Accidents and Rain
- Wind Turbine Project
- Computer Backups

## Tech Tip:

Last month I discussed cleaning your physical computer and peripherals. This month we're tackling cleaning/maintenance of your hard drive and data.

One of the most important periodic tasks is to back up your data. Whether physically to another drive or via the Cloud, it should be done routinely to avoid loss of important data. I recommend [www.crashplan.com](http://www.crashplan.com), which is an entirely free service for local and offsite backups (and a reasonable cost for Cloud back up) with automation built-in.

Backing up your data protects it in case of data failure, but you also need to protect your data and systems from malware and viruses. You should have a firewall running (Windows Firewall is fine for most users) and have an anti-virus utility installed (again, free is plenty for the average user - I use Avast at home ([www.avast.com](http://www.avast.com))).

Once installed, run a full system scan and then set the program to regularly scan your system.

You also want to ensure your system software remains up to date. This includes updating the operating system if it stops being supported (such as the recent death of Windows XP) as it creates vulnerabilities. You need to promptly install all critical updates for the operating system you are running. You should also check the rest of your software and the free program of Secunia Personal Software Inspector makes this a snap - I recommend letting it auto update any outdated software ([http://secunia.com/vulnerability\\_scanning/personal/](http://secunia.com/vulnerability_scanning/personal/)).

Next month we'll wrap up the Spring cleaning of your computer tackling organizing your files, trashing what you don't need, and optimizing your startup.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

April 2014 Newsletter | VOLUME 3 - ISSUE 4 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Protecting your credit when you travel
- Stylish Safety Helmets
- Virginia's "Happy" music



## *Kellam's Corner*



Spring has finally arrived! I have a feeling we were not alone at the firm in going a little nuts with the constant cold, nasty weather. I've been busy with volunteer legal activities, such as chairing the Norfolk Portsmouth Bar's Professionalism Committee, as well as writing articles for the Virginia State Bar and Virginia Trial Lawyers Association publications on technology and the practice of law. I'll share links to the articles after they are published in the next few months.

The Parks family had a low-key Spring Break, with Kelly and Avery heading to OBX for a few days with Kelly's mother. I stayed behind to work as we had a 4-day trip to South Carolina for a big dance competition for Avery later in the month. Someone has to mind the store, so to speak!

## *Personal Injury*



Wearing a helmet is a must for safe bicycling, but some still refuse to wear one, thinking they look "dorky." Well, what if you could wear an invisible helmet? Two Swedish women have done just that by creating something that looks like a fashionable scarf, but in the event of a collision it explodes outward like an airbag and turns into a helmet. Fashion meets safety! Check out this video to learn more. <http://vimeo.com/43038579>

## *Did you know?*



Each of the suits in a deck of cards represents one of the four major pillars of the economy in the Middle Ages: hearts represented the church, spades represented the military (nobility), clubs represented agriculture (peasants), and diamonds represented the merchant class.



*"Great thoughts speak only to the thoughtful mind, but great actions speak to all mankind."*

*– Theodore Roosevelt*

## PROTECTING YOUR CREDIT

Summer is on its way, and many people are eagerly planning their summer vacations. If you are going overseas, here are some tips concerning handling your finances. Before traveling, go through your purse or wallet and remove any unnecessary items. You won't need your Norfolk library card in Europe. A slimmed down wallet will make a less obvious target for pickpockets.

Inform your credit card companies where you are going and what dates you'll be gone before you travel, otherwise they may put a hold on your card for suspicious activity and you could be left stranded with no access to finances. Ask them for a number you can call from overseas, as most 800 numbers on cards only work in the US.

Research the area you plan to visit. See if credit cards are widely accepted and, if so, which ones. Also look for the availability of ATMs that you can use. We are complacent in America that an ATM will always give us cash, even if it's not our bank, but this isn't always the case in other parts of the world.

Using a credit card is usually a better and safer option than using strictly cash, especially when traveling overseas. A credit card is small, takes up very little room, and therefore is easy to hide. If it's lost or stolen, it can be canceled and replaced. If you lose a wallet full of cash, you're done. If taking your credit card overseas makes you nervous, you could opt for a pre-

paid credit card instead. This gives you the ease of canceling it if it's stolen and the peace of mind that it can't be connected to your information back home. Also, using a credit card abroad almost always guarantees a better conversion rate. Be cautious though, as some companies charge transaction and conversion fees. Check with your card companies before traveling, so you'll know exactly what it will cost to use your cards. Some companies offer special travel credit cards that give points for money spent on items like hotels and airfare and do not charge conversion fees. That being said, they often have higher interest rates, so do some research first.

Although using credit cards is advised, it is always a good idea to travel with some cash for emergencies. You should already have a small amount of the local currency before you get there. You may need to grab a meal at the airport or a taxi to the hotel and not all places accept credit cards. Also, while we use magnetic strip cards here in the US, most of Europe and Asia use chip-and-PIN cards. These cards have an extra layer of security by requiring a PIN, which our magnetic strip cards don't have. This sometimes causes problems at automated payment machines like gas stations and train ticket kiosks. You may need to use cash or have an attendant help you. Most merchants will want to see your passport, too, to verify that you are the person who is supposed to be using that card.

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## Deb Dishes:

Knowing how much I love good chocolate, Lia comes to me with a fork and a container and says, "Do you like flan? Try this." Her mother, Lori had made Chocoflan. As Lia is explaining how it is made using a Bundt pan in a water bath in the oven and how the two delicious flavors separate and form layered goodness, I was letting the smooth, creamy flan and moist chocolate cake fill my taste buds with its deliciousness. We decided this had to go into the newsletter to share! This recipe is too long to list here, but can be found on our website at <http://goo.gl/SwEFOF>. On the restaurant front, another find to share is Sweetwater Cuisine Café located next to us in the Wayside shops. It reminds me of a southern home turned into a restaurant. If you want to stop the noise of your busy day and have a relaxing lunch, this is the place. They offer a variety of soups, sandwiches, salads, po'boys and their own specialties like herb stuffed chicken, meatloaf and my favorite, shrimp and grits. They serve sides like cheddar grits, orzo salad, sweet potato fries, hushpuppies, mac-n-cheese and more. They also have a kids menu. So stop by, relax, and enjoy your meal inside or outside on the patio. Y'all will enjoy it too!

## On The Local Front

### VIRGINIA'S HAPPY MUSIC

Virginia has been the site of major historical events since the landing point of early settlers, including important battles of the American Revolution, being the birthplace of eight presidents, and many diverse entertainers. With the current worldwide popularity of Virginia Beach's Pharrell Williams' "Happy" song, it is interesting to note that the musicians Virginia has produced is quite an eclectic group. The genres include jazz, classical, pop, rap, and many more.

Ella Fitzgerald was born in 1917 in Newport News and was the first black woman to win a Grammy for her Jazz melodies. Despite a difficult life, she remained optimistic and privately gave generously to family and local child related charities.

Portsmouth's Ruth Brown was once known as the "Queen of the Jukebox." Atlantic records became a powerhouse of R&B, due to her two dozen hits. She went on win a Tony Award. Remember her as "Motormouth Maybelle" in the 1988 film Hairspray? Salem High School's Timothy Mosley's, aka Timbaland, soul-rapper-hip hop style hit Virginia Beach in the mid-90's. It was his friend Missy Elliot (rapper/singer/songwriter from Portsmouth) that helped launch his career and today his productions can be found on music by Justin Timberlake, Madonna, Beyoncé, and Cher, to mention a few.

Other musical talent to call Virginia home include Wayne Newton, Gene Vincent, June Carter, Pearl Bailey, Bruce Hornsby, Charlie Byrd, Patsy Cline, Juice Newton, Clarence Clemons, JoAnn Falletta, Zac Hanson, Chris Brown, The Five Keys, Randy Blythe, Tommy Newsom, Keely Smith, Gary U.S. Bonds, Shirley MacLaine and more!

## Family Law:

Getting married seems to produce an endless to-do list. One thing to keep in mind for after the wedding is what to do if you decide to change your last name. Changes should be made as soon as possible. This includes social security and the DMV to start, but don't forget to update your new name with your passport, financial institutions, insurance, work records, benefits provider, doctor's offices, and business associates. Check out our website for more info: <http://goo.gl/cHa1T3>.

## Family Time...



Deb's grandson Maxwell turned 4! He had a Monster's Inc party and "Granma" made the cake for her "Doodle." Here he is with Courtney blowing out his candles. They played games in the park and enjoyed the sunny day.



Lia's son Grant (2nd from left) turned 5 recently and had a "Magic" birthday party. Here are all the kids with their magician's hats & wands (made by Lia) waiting for the balloon drop! Yes, that's Bryant at the other end. All the kids had fun playing pin the tail on the bunny, bunny toss and eating bunny cake.





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## INSIDE THIS ISSUE:

- Protecting your credit when you travel
- Stylish Safety Helmets
- Virginia's "Happy" music

## Tech Tip:

This month I'm tackling cleaning of your physical computer and next month I'll talk about actions for the operating system/storage. You should periodically clean your computer. Dust and grime can clog fans, which it turn causes your computer to run hotter than it should, lowering its life expectancy. Luckily, cleaning it is simple. You'll need some paper towels, a can of compressed air, rubbing alcohol, a microfiber cloth, water, and vinegar.

Shut down the computer, unplug it, and move it somewhere with some space. Open the case (usually just a few screws on the back) and wipe the fans and vents with a damp paper towel. Use a can of compressed air to blow the dust out of the rest of the insides (there will be clouds of it, so be sure to be somewhere you don't mind the dust blowing).

Next is the keyboard. Turn the keyboard upside down over a trash-can and shake it - you'll be surprised (and probably grossed out a little) by the crumbs and other garbage that has collected in there. Use the compressed air to blow out any stuck items under keys. It is probably grimy, so use the rubbing alcohol to clean the keys themselves. Clean your mouse as well, paying attention to the light sensor to ensure not obscured.

Lastly, you want to clean your monitor with the microfiber cloth (versus paper towels, which may scratch the screen). If the dry cloth doesn't completely clean your screen, you can dampen the cloth with water, or a 50/50 mix of water and vinegar to really clean it. Don't place the liquids on the screen itself, dampen the cloth to ensure no water gets into the device by mistake.

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

March 2014 Newsletter | VOLUME 3 - ISSUE 3 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- A good use for Gift Cards
- Car crash in water, what to do!
- The Lesner Bridge is falling down.



## *Gift Cards*



Do you have a credit/debit card on file for downloading apps on your electronic devices? To maximize security, consider using a gift card instead. This can protect you from potential fraud and theft loss. While debit/credit cards have fraud protections as to losses (which are different depending on which is used), if a system is hacked, a gift card may save you even those losses and your primary card being compromised. Thank you, reader Jason Cole for this tip!

## *Kellam's Corner*



Can't argue with Punxsutawney Phil - little guy nailed the continuing Winter weather. Although I'm not a big outdoors guy, I am looking forward to some warm weather and sun. Fortunately, we didn't have major snow this month so we didn't have the business and personal disruptions we had the first few months of 2014. We remain busy, with ever-increasing calls for credit reporting dispute cases. It is important to remain vigilant as to the accuracy of your credit files.

On the home-front, Avery's been preparing for her dance competitions and it's paid off - she placed first in her age division for the International Dance Competition held at Willet Hall last month and was first-runner up for Overall Senior Soloist! We're very proud of her hard work and dedication.



## *Did you know?*



It began when John met Paul in 1957. George was only 14 when he became the lead guitarist in 1958. In 1960 they went from "Beatals" to "Silver Beatles" to "Silver Beatles" to "The Beatles." The haircuts came in 1961. Ringo, was not part of the "Fab Four" until 1962.



*"When everything seems to be going against you, remember that the airplane takes off against the wind, not with it."*

*— Henry Ford*



### *Deb Dishes:*

Let the St.Paddy's celebrations begin with the greening of all foods and drinks! If you know me well, you know that having green milk with green eggs and green pancakes are not at all unusual in my household. This year, in my quest to find something truly Irish, I found a vegetable dish called Colcannon. It's a unique blend of veggies that can also be cooked in your crockpot. You take 1 lb of potatoes, 2 parsnips, 2 leeks, 1 cup of milk, 1 lb of cabbage or kale, 2 gloves of minced garlic, ½ tsp nutmeg, 1 tsp of salt, ½ tsp pepper, 2 Tbsp. butter and chopped parsley for garnish. You must cook the potatoes and parsnips in one pot, the cabbage in another while simmering the leeks in the milk. Once all veggies are tender, Drain potatoes/parsnips, place in large bowl. Season with nutmeg, garlic, salt & pepper. Beat well. Add the cooked leeks and milk, stir to mix. Finally, add the drained cabbage and butter. The consistency should be smooth potatoes with well-distributed pieces of cabbage and leek. Sprinkle parsley on top. The full recipe and crock pot instructions can be found on our website at <http://goo.gl/XBrHSH>. I have also shared an old Beer Bread recipe with and without using Bisquick at <http://goo.gl/4rp7m9>.

## PERSONAL INJURY

From traversing the Hampton Roads Bridge Tunnel to crossing the Jordan Bridge, driving over, under, and around bodies of water is a daily occurrence for travelers in our area. In addition to communities near the bay and ocean, our neighborhoods are flanked by natural and man-made lakes, flowing rivers, and tidal marshes, all of which provide wonderful opportunities for outdoor adventures. Sadly, these same waterways can also pose a danger to drivers and passengers involved in car accidents.

The tragic loss in February of two Suffolk residents in unrelated incidents remind us that our waterways, while beautiful and bountiful, can also be deadly. As is usually the case in extreme emergency situations, knowing how to react can make the difference between fatality and survival. In the event you should find yourself trapped in a vehicle underwater, experts offer the following advice:

- Brace yourself - place hands on the steering wheel in the nine and three positions to be prepared for airbag deployment and lessen the chance of injury from the air bag.
- Forget trying to use your cell phone – you'll waste precious time and it will not aid you getting out of the sinking car.
- Open the window as soon as you hit the water — your electrical system should work up to three minutes in water. Get out.
- Windows closed – You cannot open the door until the water has flooded the car. Initially, the water outside will put pressure on the door of up to 600 pounds per square inch, meaning you won't be able to open it from the inside. The pressure inside and outside the car should

equalize about the time you need to take several deep breaths and hold the last one. Go.

- If you can't open a door and you're trying to break a window instead, aim for a side window, never the windshield. Windshields are several layers thicker. Keep a center punch or small hammer in your glove box.
- Don't take off your seat belt until you have opened a door or window. Grip the steering wheel before you unbuckle. You'll need something keeping you tethered so that you can pull yourself out of the car.
- Once you're out of the vehicle, if you are submerged and it's night time, let your body float you to the surface.
- If you have children in your car, Professor Dr. Gordon Geisbrecht's motto is S-C-W-O, which means Seat belts (off) – Children (unbuckle them)- Window (break it) – Out (Children first holding an object that floats, if available).

Following these steps should take about thirty seconds. Investing thirty minutes to discuss these tips with every member of your family, especially with newly-licensed, less-experienced drivers, could very well save a life. And include children old enough to understand safety routines.

To review the top 10 things to do when you are in a traffic accident, you can go to our website. Here's the link <http://goo.gl/UdOFgt>

Enjoy and respect our waterways, they are integral to the unique community that is Tidewater!

### *On The Local Front*

## REPLACING LESNER BRIDGE

In September 2013, the Virginian-Pilot reported that the Lesner Bridge was scheduled to be replaced. Saltwater has been seeping into the bridge's beams and corroding them. The current twin bridges were built in 1958 (East bound) and 1967 (West bound). Virginia Beach has spent over a million dollars on repairs over the years and it is time for newer technology and materials. Bids for the replacement were submitted, one at a stunning \$20 million below the next lowest bidder. Construction was scheduled to begin this month; however, it seems that this bid contained significant financial errors. Luckily, the city can select the next lowest contractor without redoing the bidding process, which means construction should only be delayed until April. McLean Contracting Company, the next lowest bidder, is taking over the three-year project.

The new bridge will be funded by state and federal money, and is designed to be taller, wider, and durable enough to last for the next 100 years. It incorporates a wider path for pedestrians and cyclists, fewer piers, and about 10 more feet of clearance that will open up the waterway for larger boats.

There have also been talks of renaming the bridge. The current name comes from former state Senator John Lesner, who worked to improve Virginia's roads and bridges in the early 1900s. Some people would like something that better reflects the area, like Lynnhaven Inlet Bridge, or to name it after a more current local personality. What are your thoughts on renaming it?

### *Family Time...*



Here's Deb with our great-nieces Isabella, Olivia and Chloe, up from Florida. Don't ask us which twin is which, we can't tell, but all three are cute and fun to spend time with!



Avery mid-leap at a rehearsal for her competition season. Good form!

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### *Family Law:*

**What happens to your military benefits when you and your military spouse divorce? You might not necessarily lose everything right away. You are entitled to a portion of his/her pension, but your continued health, commissary, and exchange benefits will depend on how long you were married overlapping with how long your spouse was in the military. For more information on military divorce, check out our blog at <http://goo.gl/U32niN>. Not every attorney is well-versed in military issues, such as benefits, so be sure your attorney has the appropriate knowledge and experience for your case.**





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## INSIDE THIS ISSUE:

- A good use for Gift Cards
- Car crash in water, what to do!
- The Lesner Bridge is falling down.

## Tech Tip:

This month I'm discussing digital music choices. There is a fundamental decision to be made when it comes to digital music - purchase or service. The undisputed king for purchasing music is iTunes. The selection is enormous and you usually pay between \$.69-\$1.29 per song. iTunes Plus is the new standard and doubles the quality of purchased music. There are some large competitors, such as Amazon or Google, and smaller players you can find with a quick Internet search. The advantage of purchasing music is that you can burn the songs to CDs if you want that format.

The other option for digital music is a service provider. Some of the services have free versions, such as Pandora (which allows you to listen by genre, but not pick specific songs) and its slick newer rival Slacker, to Spotify (which recently removed restrictions for its

free service to mobile users and removed their time-limit). These free services offer paid options to give greater control, remove ads, or otherwise beef up offerings. There are also paid-only services such as Rhapsody and Google Play, which allow you to download tracks to mobile devices (so you do not need an internet connection to play). The downloads simply need to be refreshed periodically.

I listen to music most of the day and use Pandora and Slacker's free services for variety and pay for Rhapsody (\$14.99/mo.) so that the family has access (3 computers and 3 devices allowed, though not in use at the same time).

I suggest you investigate the choices as to what meets your needs best, but there is a plethora of choices available for music lovers.

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# STAYING *in Touch*

February 2014 Newsletter | VOLUME 3 - ISSUE 2 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Saving the coastal waters
- Children & Identity Theft
- Snow, snow go away!



## *Personal Injury*



The recommendations for car seats using the LATCH anchoring system have changed. Car manufacturers only guarantee that the lower anchors will hold up to 65 pounds, but this weight limit must include the car seat itself. The weight of the car seat will now be listed on the tag. Weigh your child and any older car seat. If the combined total is more than 65 pounds, your child needs to upgrade to the next car seat. More information can be found at <http://goo.gl/iy5MWY>.

## *Kellam's Corner*



I hope everyone survived the Snowpocalypse(s)! The snow and rotating illnesses hit us hard at the firm (both at work and home), but happy to say we all survived. In fact, despite these issues, January was the most productive month thus far for the firm and things are continuing to grow. As always, we appreciate the trust you place in us in allowing us to represent you and take care of your referrals.

February is a busy month personally too, with a slew of birthdays (my father, wife, brother, and brother-in-law) and, of course, Valentine's Day. February also marks the beginning of dance competition season for Avery - I'll be sharing pictures and details in upcoming Newsletters as the season progresses.

## *Did you know?*



New Zealand remained devoid of human beings no more than 800 years ago. The Polynesians were the first to settle and develop into a culture known as Maori. European introduction of guns and disease decimated their numbers by the 19th century. New Zealand is now a constitutional monarchy with a parliamentary democracy under England.



*"I am not a product of my circumstances. I am a product of my decisions."*

*– Stephen Covey*

## IDENTITY THEFT

Children are easy targets for identity thieves not only because it could be years before anyone checks children's credit reports, but also because their credit is essentially a blank slate. There are several things you can do to help protect your children from identity theft. The first is to keep all birth certificates, social security cards, and passports locked up and not in your wallet or purse. Next, be very cautious about who receives your child's social security number - this information is only mandatory for official purposes- schools, doctors, opening a bank account, and paying taxes, to name a few. If an organization like a summer camp wants a social security number, ask why they need it. If it does not sound like a valid reason, don't give out the information.

Do not be afraid to ask how the information is handled. How do they store it, who has access to it, what safeguards are in place, and what do they do with the information when they no longer need it? You should also keep a list of everyone who receives the information. If anything happens, this could make it easier to track down the thief if someone's identity is stolen.

You can also check your child's social security earnings record. Sometimes a thief will create a new identity with your child's social security number. Visit <http://goo.gl/Lcj-FRJ> to request a report. You can also request a free credit report from the three main bureaus every year. There will

only be a credit report if someone opened a line of credit in his or her name.

Teaching your children about internet safety is extremely important for fraud prevention as well as safety reasons. Make sure they know not to give out personal information, no matter how trivial it may seem. Social media sites are one of the biggest problem areas, as it seems that everyone, not only children, shares too much there. Thieves are constantly scanning these sites, looking for names, addresses, dates of birth, etc. Make sure YOU never make posts like "five years ago today I gave birth to William Sam Smith;" as now the full name and date of birth of your child is available for the taking by a potential thief. Privacy settings may not be enough to keep your information private.

Lastly, keep an eye on the mail for bills, credit offers, letters from debt collectors, or notices from the IRS. Your child could be denied government benefits if they are being paid to another person with your child's social security information. If you go to open a bank account for your child and are told one already exists or are denied due to a low credit score, then fraud has already happened. As the old saying goes, an ounce of prevention is worth a pound of cure.



## Deb Dishes:

I found No Frill Grill at Hilltop! Ok, so maybe I did not find it, but I went for the 1st time and had this delicious meal. Crab cakes, scrambled eggs on English muffin with hollandaise sauce served with cheesy hash browns, asparagus, grapes and a strawberry. It was very tasty and quite filling. Bryant said his chicken strips were extra good, and he's very picky! They have a diverse menu so deciding what to get was tough.

What to do when you are snowed in and have played every board game you can with a six year old? You head to the kitchen! I had seen this easy biscuit recipe floating around Pinterest in several forms and had to try it. You mix up 4 cups of Bisquick, 1 cup sour cream, 1 cup of Sprite or 7-up. Melt ½ cup butter in a 9x12 baking dish. Turn wet dough onto floured/Bisquick surface, sprinkle a little more on top & flip over. Using your hands, flatten out to be about the size of your baking dish. Cut into squares or using a square cookie cutter – we made ours decorative of course! Bake about 10 mins at 425°, until golden brown. You can always print a copy of this recipe and others from our website @ <http://www.ktparkslaw.com/library/recipes/>.

## On The Local Front



## KEEPING OUR COASTAL AREA THRIVING

In the 1930s the combination of a severe hurricane and a wasting disease caused by a marine slime mold decimated the Chesapeake Bay's seagrass population. In the years since it has struggled to return, but pollution hampers its ability to grow. In 1999 the Seaside Seagrass Community Restoration Program was started, with the purpose of harvesting eelgrass seeds (a type of seagrass) and preparing them to be planted in the fall. Despite their efforts, the Virginia-Pilot recently reported that storm water runoff has caused a drop in seagrass levels by almost 50% in the past ten years, the lowest since the 1980s. While the Virginia Institute of Marine Science reports that pollution due to wastewater treatment plants and agricultural runoff is decreasing, pollution from urban and suburban areas is on the rise. Hampton Roads has a huge amount of impervious surface areas –areas like roads and buildings that don't absorb water– which means rain just washes over these surfaces, collecting pollutants like automotive oils, fertilizers, pesticides, and pet waste, carrying them to our waterways. We need to work on reducing our pollution output. Seagrass creates a habitat and feeding source for marine life, adds oxygen to the water, and helps prevent erosion. Seagrasses are also an "indicator species," reflecting the overall health of our ecosystem. This has a direct impact on our bay scallops, blue crabs, oysters and striped bass populations. You can find more information, volunteer or make a donation at <http://goo.gl/r0keaf>.

## Family Time...



As much as the snow has inconvenienced us, at least it wasn't up to our heads. Gretel had a heck of a time, as you can see!



Is that a Pokemon or Granma's Bugg? Deb's grandson Bryant attempts to make snow angels in the soft winter snow. Although he was very excited about the snow, he didn't last more than 20 minutes out in the cold!

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## Family Law:

Divorce can be extremely difficult for children. Encourage your children to share their feelings, whether with you or another trusted adult. Talk to the school guidance counselor for advice. Tell your children it is not their fault and both parents still love them. Be patient and allow them time to adjust to all the changes divorce brings, especially when moving on, such as adding a step-parent and step-siblings into the mix. Try to find ways to minimize their stress and yours, with support groups or fun family activities.





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## INSIDE THIS ISSUE:

- Saving the coastal waters
- Children & Identity Theft
- Snow, snow go away!

## Tech Tip:

This month I am discussing digitizing photographs. Since we use quality scanners at the office, my sister has taken advantage of the technology and is scanning in old pictures for storage and sharing in social media (she loves “Throwback Thursdays” on Facebook, sometimes to her little brother’s chagrin!)

First, make sure that the scanner and pictures are clean. Use a dust-free lens cloth or compressed air on the photos prior to scanning to ensure no debris remains. Most scanners come with scanning software and you will want to spend some time learning the ins and outs of how it works for best results. Generally, you want to scan in color (even if a B&W photo). As to the format you choose to save the photos, I recommend defaulting to a high setting and uncompressed format for archiving (compression loses informa-

tion/degrades the photo quality). I use 600 dpi (dots per inch) and the TIFF format. This will result in much larger file sizes, but storage is cheap and if you want to edit the photos later or share them, you can save that file as a JPEG and work with it in that format.

As to editing the photos, there are many software choices from the very robust and expensive Adobe Photoshop to the more user-friendly and free Picasa from Google for Windows or iPhoto on the Mac. I personally use Picasa. You can use these programs to do simple things such as cropping and “touch up tool” for small blemishes or more complex things such as color stabilization.

With these simple tips, you’ll have a digital archive of your old photos in no time.

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# STAYING *in Touch*

January 2014 Newsletter | VOLUME 3 - ISSUE 1 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Ear buds and Virginia Law
- Future Casino in P-Town?
- Tips for setting up a new computer



## *Credit Reporting*



If you have unsuccessfully tried to dispute the errors on your credit reports directly with a credit reporting agency, you do have recourse. The Fair Credit Reporting Act allows you to file a lawsuit in order to have inaccurate information removed from your reports. You can be awarded actual or statutory damages and reasonable attorney's fees, depending on whether the creditors and/or the credit reporting agencies' actions were willful or negligent.

## *Kellam's Corner*



Welcome to 2014! We hope you had a happy and safe New Year's Eve. Now that the holidays are past, the firm is going full speed ahead into the new year. Our short-term admin person found a job in his field and started at the end of December - we wish Adam the very best in his new endeavor! We opened back up the employee search and expect to have secured a long-term replacement soon and introduce the newest member of our team in future issues.

Referrals continue to grow and we thank all of you for your trust in sending your friends/family to us for assistance. We also look forward to hearing from you as to new events in your life - we've received exciting news over the last few months of clients and friends having new additions to their family!



## *Did you know?*



Disneyland uses over 5,000 gallons of paint each year to maintain its clean appearance. It also does not sell gum or unshelled nuts inside the park. Walt intended to maintain park cleanliness so that people would be too "embarrassed to throw anything on the ground."



*"Our lives begin to end the day we become silent about things that matter."*

*— Martin Luther King, Jr.*

## PERSONAL INJURY

Every day we see an increasing number of people constantly connected to their phone or iPod via ear buds while walking, biking, and even driving. This is most apparent with teenagers and young adults. Wearing headphones may seem harmless enough, or even a considerate act on the user's part by not forcing everyone else to listen to their music; however, in reality it's a dangerous habit - and not just because of potential damage to your hearing. It appears that many people have forgotten their days of driver education, in which you are taught that it is illegal to drive or even bike while wearing any form of headphones. Virginia Code §46.2-1078 makes it illegal to operate a motor vehicle, bicycle, electric personal assisted mobility device, electric power-assisted bicycle, or moped while using earphones. Wearing headphones of any kind while driving is illegal because they render you unable to hear other traffic, car horns and possibly even emergency vehicles with sirens blaring. This is especially dangerous as emergency vehicles often have to go through red lights and intersections where someone else may otherwise have the right of way.

Having multiple stimuli dividing one's attention is referred to as "inattention blindness," and this distraction is intensified by the sensory deprivation caused by headphones. Your brain's attention becomes focused on the noise coming in from the headphones, to the point of ignoring other auditory and even visual information coming

in. This distraction is just as dangerous as talking on a cell phone or texting while driving. For some reason people seem to think ear buds don't count, but this isn't true. Under Virginia law, earphones are defined as "any device worn on or in both ears that converts electrical energy to sound waves or which impairs or hinders the person's ability to hear . . ." The only exception to this rule would be any type of device that enhances your ability to hear (e.g. hearing aids).

These same dangers hold true for bicyclists and pedestrians, who have a greater risk of injury because they don't have the physical protection a car provides. According to a study by the University of Maryland School of Medicine and the University of Maryland Medical Center in Baltimore, the number of pedestrian injuries related to headphone use has increased 300% in the past six years, and 70% of those people died as a result of their injuries. Most happened in urban areas and a majority of the victims were males under thirty. Even though the researchers admit there were limitations to this study, it's still an alarming trend. Taking every possible precaution and being aware of your surroundings, whether you are walking, biking, or driving, is extremely important in order to prevent serious injury. Even though pedestrians have the right of way in most cases, in the end being "right" is little comfort when someone is injured or killed.

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## Deb Dishes:

It's really Winter now and time for what I call "bowl dinners." Soups, stews, chilies and the like. We have several favorites in our house. It's also the time I bring out the crock-pot. Cara's White Chicken Chili is a delicious alternative for folks who do not care for, or are tired of tomato based soups and stews. I love the hot melty cheese in every bite. You can find her recipe on our website at <http://goo.gl/sAlfRX>. Another easy fav is pot roast. Take a chunk of pot roast beef, dredge in flour, salt & pepper both sides and brown off both sides in a few spoonfuls of hot oil for 3-4 minutes. Place meat in crock pot, add 1-2 cans of beef broth (depending on size of roast), add cut up potatoes and carrots, maybe a few celery stalks – salt & pepper and let simmer on medium for 6-8 hours. Your meat will be fork tender and you will have flavorful gravy, which you can thicken up if desired, but we tend to not bother with that. Serve with some hot biscuits or cornbread. For dessert, something warm is always tastier in the winter. We make Peach Stuff! You can find out what Peach Stuff is and how easy it is to make on our website library!

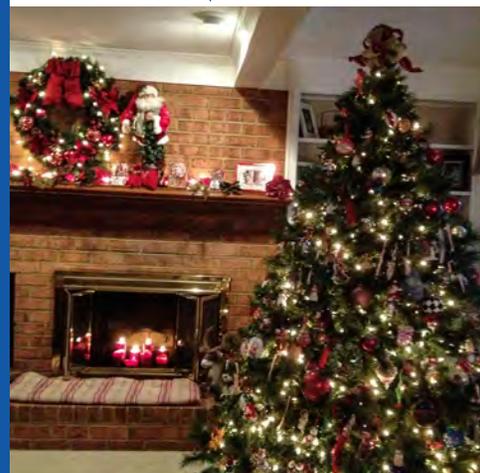
## On The Local Front - Casino News



Over the past several months the Virginian-Pilot has been writing about Portsmouth seeking a casino. Senator Louise Lucas submitted two gambling bills in early 2013 which were unsuccessful, but she did get enough attention for the Senate to request a study on what a casino could bring to Hampton Roads. This study suggests that a casino could bring in around \$113 million a year, but states there is the potential to bring in as much as \$210 million to \$601 million a year. Sen. Lucas wants to use that money to offset the tolls at the Downtown and Midtown tunnels which start in February.

Some people fear that the tolls will isolate Portsmouth, but a casino could attract people from all over despite the tolls. Even though most of the city council supports it, House and Senate leaders don't think the bill has much chance of passing this year. Some people claim that gambling is a horrible vice that will bring other problems to the area. Others feel it is not the government's job to control spending habits or enforce subjective morals, as it tried with Prohibition. One of the economic arguments for it has been that people that want to gamble simply go outside of Hampton Roads for it, such as Delaware or New Jersey and that this business could remain here. What are your thoughts on bringing gambling to Virginia?

## Family Time...



The Parks Family's Christmas tree and mantle. Kelly does an amazing job decorating the house for the various holidays, with Christmas being the most elaborate!



Deb's daughter, Cara Montagna, is now the store manager at Ntelos on Lynnhaven Parkway. If you are looking for a great deal on cell phone service, stop by and see her. Congrats to Cara on her well-earned promotion!

## Family Law:

If divorced parents are both military and deployed at the same time, who has custody of the children? Sometimes custody goes to grandparents, sometimes to step-parents. You might have a military-required Family Care Plan, but Virginia law trumps that agreement, and the courts have final say on custodial matters. To avoid potential issues, have custody arrangements court-approved before deployment in order to prevent upheaval in your children's lives while you are away. Visit our website to learn more. <http://goo.gl/sElcn6>





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## INSIDE THIS ISSUE:

- Ear buds and Virginia Law
- Future Casino in P-Town?
- Tips for setting up a new computer

## Tech Tip:

The new year may have brought you a new computer. This month I am going to provide a few suggestions for streamlining the new system for best performance/appearance (PC based). (1) For security reasons, I suggest you create a user account and password. This allows you to lock down the computer and customize what type of access to give to guests or your children when they use your machine. (2) Many computers come with pre-loaded software (often referred to as "bloatware"). Most of these programs just take up space/resources and you'll want them removed. To do so, I like the free program CCleaner (<http://www.piriform.com/ccleaner>) - it allows you to remove programs (and also clean up other areas of your computer in the future). Remove any program that is a demo or trial and you can check the rest to see if something

you want to keep. (3) Ensure you have a firewall and virus checker installed/running. There are a lot of choices for paid and free programs for virus protection- I personally use Avast! for my home computers for anti-virus (<http://www.avast.com/>) and Windows' built-in firewall. (4) Check for and install updates for both Windows and any installed programs; (5) Set up some sort of data backup plan now at the start (whether it be by external hard drive or cloud backup); (6) Install the programs you want/need (e.g. office suite, photo-editing tool, etc.), assuming you are not using web-based applications. Once installed, make sure you save the registration codes in a safe place. This is a short list of quick items to get you up to speed in no time!

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

December 2013 Newsletter | VOLUME 2 - ISSUE 12 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- ID theft and you
- Shopping in Suffolk
- Time saving tips



## *Personal Injury*



If you've been involved in a car accident, chances are you will feel worse by day three. If you have any pain, see a doctor and discuss any symptoms, no matter how insignificant you may think they are at the time. Doctors are trained to recognize trauma to our bodies and know if a small symptom could be the beginning of a larger medical issue. You do not want to settle your claim until you know the extent of your injuries and have had proper treatment.

## *Kellam's Corner*



We hope everyone is having an enjoyable holiday season. December brought my daughter's 16th birthday - wow how time flies! Seems just yesterday she was in kindergarten and was watching Miley Cyrus when she was Hannah Montana and not twerking to the masses (ah, simpler times...) Kelly and I couldn't be more proud of the young woman Avery's become.

As for the firm, I always ensure the week after Christmas is light for us at the firm so that we can enjoy our families and recharge to hit the ground running for the New Year. We're excited about the continued growth at the firm for 2014 and have several new things planned we can't wait to share with you.

We wish everyone a fun and safe New Year's Eve!

## *Did you know?*



Countless Santa enthusiasts gather each year to pay homage at SantaCon. Celebrated in 227 locations in 32 countries, SantaCon was founded in San Francisco in the '90s and continues to be the largest public gathering of people dressed in festive gear and engaged in holiday-related revelry. Richmond's event was December 7th this year.



*"Strive not to be a success, but rather to be of value.."*

*- Albert Einstein*

## IDENTITY THEFT

You hear about it all the time and just never think it will happen to you. **Identity Theft**. But it did happen to about 3,700 folks right here in Hampton Roads. Between September 2011 and April 2013, personal information on file with Sentara Health Systems was stolen by two ex-employees. These two male nurses were able to take the names, birth dates and social security numbers of Sentara patients. They in turn sold identities to other thieves who filed false tax returns (over \$116,000 and 77 victims), opened up credit and who knows what else will be discovered as time goes on. While Sentara and other companies hit with security breaches are reacting to the problem with procedure and protocol changes, it still leaves the victims at great risk.

We have taken a number of calls from people receiving a letter from Sentara explaining the issue. Many have signed up for the free one year credit monitoring service Sentara has offered only to find numerous errors on their credit reports. One individual even has a fraudulent home loan in her name. Some of the errors we are helping to resolve may be related to the Sentara matter, but some involve other issues. If these victims had not taken the time to review their credit reports, they would continue to have their credit scores negatively impacted by fraud.

They could be denied credit cards, car loans, jobs and housing all because someone else has ruined their credit.

You do not need to pay for a credit monitoring service to check your credit reports. Once a year you are entitled to receive free reports from Annual Credit Report.com - you can find the form on our website at <http://goo.gl/slj9Zj>. If you would like a free credit monitoring service, you can check out [www.creditkarma.com](http://www.creditkarma.com), they even give your credit score.

Once errors appear on your credit report. it is seldom a quick or easy process to get the corrections made. Even when there is proof it seems like a no-brainer, the Credit Reporting Agencies do not always follow the law in regards to investigating disputes.

Did you know you can sue the credit reporting agencies if they fail to follow the guidelines? That's why you need an attorney who understands the Fair Credit Reporting Act and how to pursue your case in Federal Court. You can learn more about credit reports, disputing errors, and how we can assist you from our website or by calling and telling us what errors you need help resolving.

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## Deb Dishes:

Our Thanksgiving feast was just a pre-game to Christmas! We love baking and sharing our favorite goodies. We make cheese wafers, fantasy fudge, sugared nuts, date nut roll, chocolate crinkles, chocolate chip cookies, meringue drops, Chex mix, banana bread, brownies, pumpkin rolls, no-nos and we spend a family fun afternoon decorating shaped sugar cookies (Santa's favorite). Our traditional Christmas breakfast is country ham and blintzes served with our homemade strawberry freezer jam. Our blintzes are crepes filled with a ricotta, cream cheese cinnamon-sugar mixture. My Mom was so good at making blintzes; she had standing orders from family and friends every year. You can find the recipe for our family blintzes and more on our website at <http://goo.gl/HnO3IG>. Another fun holiday activity I started when my kids were little is taking a Chef Boyardee boxed pizza mix and making good, fun pizzas at home. We shape them in various holiday themes (heart, pumpkin, tree) and add our own toppings. These can be as simple as shredded cheeses to something a little more gourmet like shrimp and scallops to veggies galore. It's fun watching the kids shape and create their own personal pizzas; they are so proud of themselves and eat their entire pizza! May you enjoy all your favorite traditions this holiday season.

## On The Local Front - Suffolk Shopping!



Looks like it's Suffolk's turn for a major construction project! According to the Virginian-Pilot there's a new development called Riverfront Shoppes in the works. It will be located near the intersection of Harbour View Boulevard and River Club Drive. The Gee's Group of Virginia Beach just purchased the land and S.L. Nusbaum Realty will be leading the marketing and leasing of the new facilities. Sitting on 3.9 acres, this 39,000 square-foot development will cost approximately \$6.5 million to build. Conscious of the fact that it will sit at the entrance to the upscale community The Riverfront, this new shopping center "will feature upgraded quality finishes and materials comparable to the surrounding area," according to the S.L. Nusbaum website.

In other words, it will be posh. Given the thousands of local residents and current businesses in the surrounding area this has been deemed a "high growth corridor" that will support the new retail and office space center. The close proximity to Sentara and Bon Secours should also entice medical services to open for business in the new location. One goal is to gain prestigious retail shops that are not already in Hampton Roads, a welcome change to the standard chains common in most area malls. Construction will start in late January and they hope to be ready to open by early September. The plans include 30% more parking spaces than the city requires, helping to handle next year's holiday shopping rush!

## Family Time...



Paul Montagna has been accepted into the University of Minnesota Dental School! We are very proud to have Paul get into the very competitive field of dentistry and begin his four years of additional education. Paul has worked as a dental assistant on and off since 2008 (during school), and is currently working at Charlottesville Pediatric Dentistry. We're sad the family will be in out in Minnesota for four years, but so happy his hard work has paid off!



Avery with her cousin Katlin and best friend Molly at her birthday dinner. Avery spent the day shopping with her mother and we had a low-key affair (since the big blow out was Vegas in August!). It was a great day for everyone.

## Family Law:

Everyone knows divorce is hard on children. To make it less stressful, refrain from badmouthing your spouse or arguing in front of the children. As for your legal case, avoid negative texts, emails, letters and social media posts to or about your spouse. With the issue of custody, a judge wants to see each parent's willingness to work together in the best interests of the children. You want to take the high road at all times.





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## INSIDE THIS ISSUE:

- ID theft and you
- Shopping in Suffolk
- Time saving tips

## Tech Tip:

This month I am going to share some time-saving tech tips spanning the technological map.

(1) If you accidentally delete an email in iOS 7 (the newest software upgrade for iPhones and iPads), just shake the device to Undo Trash.

(2) When typing on your Smartphones, to end a sentence and begin a new one, just tap the Spacebar twice - it will automatically put a period and capitalize the next word.

(3) Text Tip for word processing programs - Double-click a word to select it and triple click to select a whole paragraph to make for quicker modifications.

(4) If you have a large number of pictures from an event and want to rename them all quickly from the usual gibberish number-letter

combos that are the usual - copy them to your computer, "select all" to have them all highlighted, right click and choose "rename." If you start with the first file and name it "Holiday Party" then all photos will be named "Holiday Party1, Holiday Party2, etc."

(5) Internet browsing - don't use the mouse or the scroll bar on the right. Use Spacebar to scroll down one page and Shift+Spacebar to scroll up one page.

(6) Quick undo/redo changes in Word - CTRL-Z for undo and CTRL-Y for redo.

(7) Lastly - it is always important to save your work. I recommend setting an automatic backup in the program you are using if available, but also remember to use "CTRL-S" for a quick save.

I hope these tips save you some time and hassle!

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

November 2013 Newsletter | VOLUME 2 - ISSUE 11 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Child Support
- ID theft and Sentara
- Thanksgiving Treats!



## *Credit*



As technology advances, so do the chances of identity theft. If you suspect your identity has been stolen, like the recent thousands of Sentara patients, it's important to address the issue right away. If you are not vigilant in securing and monitoring your personal information periodically, you could be opening yourself up to theft and credit disaster. Restoring your identity could become a lengthy and costly battle, but luckily there are steps you can take to make it less painful. Visit our website for more info at <http://goo.gl/W5A1Bh>.

## *Kellam's Corner*



Thanksgiving is here and we want to wish everyone a wonderful and safe holiday. The firm wouldn't be the success it is without the trust and support of all of you and we're thankful to have such good friends and clients.

As wonderful as the holidays can be, it can also be a stressful time, especially in the domestic relations arena. As much as I hope that the season passes smoothly for everyone, please do not hesitate to call us if you encounter any issues - we're happy to help (that's why we're here, after all).

## *Did you know?*



Tryptophan is the amino acid found in turkey meat and commonly believed to cause the "food coma" after Thanksgiving dinner. However, turkey doesn't contain significantly more tryptophan than other meats; instead it's more likely the large quantities of carbohydrates we ingest (and the following release of melatonin) that make us sleepy.



*"Talent hits a target no one else can hit.  
Genius hits a target no one else can see."*

*– Arthur Schopenhauer*

## FAMILY LAW

Divorcing parents not only have to decide on custody of children, but also financial support. It's important to think of the future when determining child support to avoid court battles and rehashing old issues. Working toward an agreeable plan is always preferred and less costly; however, if you and your spouse cannot agree on the terms, the judge will determine the amount of child support using a presumptive guideline formula under Virginia law. Even if you can settle it yourselves, a judge will still need to endorse an order and ensure that it passes legal muster.

Once you have an order, you can request to modify the child support at a future time, but there needs to be a compelling reason to do so. A few examples would be in the case of job loss or promotion, changes in custody or childcare costs, a significant change in the child's needs, or outstanding medical costs for the child.

The presumptive formula used by the courts is meant to broadly cover all needs of the children at issue. If there are special circumstances in your case (such as extraordinary medical bills or special schooling), the court can deviate from the guidelines. The courts usually try to make sure the children are able to maintain the lifestyle they enjoyed before the divorce (finances permitting). The courts usually mandate that at least one parent carries medical insurance for the children and then determines how non-covered costs are split between the parents.

Child support does not necessarily stop when a child reaches the age of 18. It is presumptively extended through high school graduation (if after 18th birthday) if the child is a full-time resident with their parent and not self-sufficient. The parties can always agree to extend support past 18, for instance through college; however, this requires an agreement of the parents. The other circumstance, which can lead to child support being paid past the age of majority, is if the child has a disability and cannot support himself/herself. If the child meets certain legal criteria, support can be ordered by the court for life.

If there is only one child for which support is being paid, the obligation terminates upon the required age/circumstances. If there is more than one child, the parties must return to court and obtain a modifying order when one ages out. The law does not presume an automatic change of terms.

If for some reason you are temporarily unable to pay support, do not make oral agreements with the payee. It won't hold up in court and you could find yourself in contempt of court with serious consequences, potentially even a jail sentence. All modifications of support terms should be in writing, reviewed by your attorney, and ultimately entered as an order by the court.

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## Deb Dishes:

It is Thanksgiving and I'm excited to be cooking alongside my kids Cara, Paul and Courtney. While the prep work begins I will sneak a wheel of brie covered in chopped pecans and red pepper jelly into the oven surrounded by slices of bakery fresh French bread brushed with olive oil. The slices toast up while the cheese becomes melty and easy to spread. Cooks need to nosh while we work. Our table will have turkey made juicy by placing many cold pats of herbed butter up under the skin prior to cooking, many southern favorites like corn pudding, corn bread, collard greens, stuffing and sweet potato casserole. We'll also serve smashed potatoes (no one likes them whipped smooth) topped with chipotle gravy. In addition, Kelly Parks' bacon green beans are great tasting and easily cooked in the crockpot. You can find several of these recipes on our website at <http://goo.gl/Hn03IG>. There will be cranberry jelly, "green stuff" aka Watergate salad and one of my holiday favorite traditions- ambrosia made with peeled orange sections, coconut flakes & chopped pecans. And then there is dessert time when more family drops over to visit and partake in some pecan pie, pumpkin butterscotch cookies and cream cheese pie. Please send me your family favorite recipes, as I love trying new ones. I am so thankful for my family and hope each of you have a wonderful Thanksgiving!

## On The Local Front - Test Scores



Hampton and Newport News have joined Norfolk and the Virginia School Board Association in a lawsuit against the Commonwealth over the constitutionality of the Opportunity Educational Institution ("OEI"). The OEI is a new statewide "school division" that would take over schools that have lost accreditation, starting with the 2014-15 school year. If a school becomes rated "accredited with warning" for three years in a row, it too would be subject to the OEI. The OEI was created to address the fact that 69 Hampton Roads schools did not meet the requirements for accreditation last year, up from only 22 the year before. School officials claim this is due to the new, tougher SOL tests.

Despite the Commonwealth-wide drop in SOL scores, the Daily Press reports an increase in Virginia public school students graduating on time and a decrease in drop-outs. Both of which are good news for Virginia schools. Many are not saying the same about the OEI - blogs abound. Aside from diverting funds in an already financially-strapped economy (teachers going several years without a pay-raise), the lawsuit claims that the OEI is unconstitutional because it goes against several codes in Virginia's constitution, such as "No school division shall be divided or consolidated without the consent of the school board thereof and the governing body of the county or city affected." Another is the mandate that the State Board of Education create school divisions, but the OEI was created by the General Assembly. You can learn more about the lawsuit and this issue at <http://goo.gl/5Nx3Jx>.

## Child Safety:

Children are not only more fragile than adults, they also think very differently and therefore require extra consideration. We may look at a pool and know that anyone could drown, but a child only knows that swimming is fun. They don't understand consequences the way an adult does. Children depend on their parents/guardians to make good decisions that will keep them happy, healthy, and safe. To learn more child safety tips, check out our blog <http://goo.gl/xeCaeB>.

## Family Time...



Here are cousins "Bella Bean" and "Bryant Bugg" with the Mickey Mouse in his safari wear at the Tusker House in the Animal Kingdom. Deb, Bryant and six other family members went to trick or treat with Mickey this year and enjoy all the parks. Great fun and company all trip long!



Disney with family is such a blast. Here's Deb with grandson Bryant, and Deb's aunt Janis Bagnall with granddaughter Bella... oh and a couple of college pals we found in the Disney toy store in Downtown Disney.





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## INSIDE THIS ISSUE:

- Child Support
- ID theft and Sentara
- Thanksgiving Treats!

## Tech Tip:

Seeing as the holidays are approaching, I thought I'd share my favorite online shopping places and tips (for those who avoid physical shopping like the plague as I do...)

The first place I check is [www.amazon.com](http://www.amazon.com). In addition to good prices, there are also usually great reviews of the items I am considering. You should consider their Prime service if you use them frequently, especially as they just recently raised their minimum purchase for free shipping for non-members to \$35. When I am looking at electronic purchases, I also check out [www.Newegg.com](http://www.Newegg.com), [www.Tigerdirect.com](http://www.Tigerdirect.com) and [www.rakuten.com](http://www.rakuten.com) (formerly Buy.com). These all have great selections and low prices.

Speaking of reviews, I always check out [www.cnet.com](http://www.cnet.com) for electronic items. They usually have some consideration of the product I am looking into and I have found them to be spot on. Another good

resource for in-depth reviews is [www.thewirecutter.com](http://www.thewirecutter.com).

When you have settled on a purchase, don't forget to check to see if there are any online coupons or discounts. More often than not, a discount code exists somewhere, especially for the more traditional retailers. Good sites to check are [www.retailmenot.com](http://www.retailmenot.com), [www.coupons.com](http://www.coupons.com), and [www.savings.com](http://www.savings.com).

Lastly, be sure to be safe when shopping online. Ensure that the site is secured (look for a padlock icon in the address bar and an "s" in the URL address ("Https:")). Consider using PayPal or another payment service so that the vendors don't have your credit card information.

I hope this information helps you save some time and money when shopping this holiday season!

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

October 2013 Newsletter | VOLUME 2 - ISSUE 10 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Custody factors considered by Courts
- Portsmouth's desire for more rec centers
- Cyber Security Awareness Month



## *Credit*



Technology is rapidly changing and so are thieves' tactics to get your private information. Thieves can hack into online stores and place card skimmers at store registers, gas pumps, and ATMs. They will use your information to open new accounts, default on those accounts, and destroy your credit. It's imperative that you not only take steps to prevent identity theft, but also know what to do in the event it happens to you. Check our website for more information at <http://goo.gl/WV5A1Bh>.

## *Kellam's Corner*



October hosted the annual Virginia Beach Bar Association's golf tournament, which is always a good time. My goal is always to not harm myself or others during the event and I am pleased to say it was a success! [I play golf infrequently]

Although it was a warm beginning of the month (was high 80s during the golf tournament), it appears that Fall has finally arrived. Deb and Lia love Halloween and the office is decorated accordingly. Deb is particularly excited for this month as she and her family are going to Disney World the week of Halloween - I'm sure she'll have some great pictures to share in next month's newsletter! Speaking of Halloween, we'd love to see any particularly cute or extravagant costume pictures (kids or adults) - please send them along!

## *Did you know?*



Consumers will spend roughly \$6.9 billion this year on Halloween items. Not just candy, but costumes and decorations too. This year's average is \$75.03 per person, down from last year's \$79.82, per the National Retail Federation. Halloween spending has been on the rise since 2005 and is second only to Christmas spending.



*"The most important single ingredient in the formula of success is knowing how to get along with people."*

*– Theodore Roosevelt*

## PERSONAL INJURY

When planning holiday travel, it's important to follow a few driving-related precautions to help ensure your family's safety. Did you know that the Wednesday through Sunday of Thanksgiving week is the busiest travel time in the United States? According to the Department of Transportation, long-distance travel increases by 54%. An estimated 35-45 million people travel during this time, with approximately 90% traveling by car. The National Highway Traffic Safety Administration states that Thanksgiving was the deadliest holiday for car crashes in 2010. If you are among the millions visiting family this year, here are a few things you can do to help ensure your trip goes smoothly:

Plan your route before you get on the road. Check for things like weather, construction, or severe traffic that may force you to detour from your normal path (in which case it would be good to have a GPS or map handy). Be aware of any tolls you might encounter and have plenty of cash or make sure your E-Z Pass is paid up. You should also have a general understanding of traffic laws that might differ from Virginia's. New York City, for example, does not allow right turns at red lights.

Take your car to a mechanic to make sure it is in top operating condition. Check all fluid levels and tire pressure, including the spare. Know phone numbers for roadside assistance in case your vehicle breaks down. Make sure

your cell phone is fully charged, and keep an emergency kit on hand, including flares, duct tape, a flashlight, bandages, water, snacks etc.

If you are traveling with children, have plenty of activities to occupy them, as distracted parents can be a danger on the road. Make sure electronic devices are fully charged. Try to stop every two to three hours to stretch your legs and give yourself a break. The most important thing to remember is that every person in your vehicle should be wearing a seatbelt, no matter the age. It is especially important to make sure children are in proper seats corresponding to their size/age. Seatbelts increase your chance of surviving an accident by 75%.

When traveling with pets, they should be in a secured crate or special "pet seatbelt." That may sound ridiculous, but it is as important as making sure children are buckled. If you are in an accident your pet can become a projectile, not only injuring themselves, but possibly injuring yourself or passengers. Just like children, pets can be severely injured by airbags. They also can be a danger if left running loose in the car by distracting the driver, or (in the case of small pets) getting down by the gas and brake pedals, with the potential of causing an accident.

Don't let heavy traffic, impolite drivers or the possibility of being late stress you out. Remain calm, obey all traffic laws, and get to your destination safely!

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10/06/2013

## Deb Dishes:

'Tis the season for Halloween, candy corn and all things pumpkin! There is advertising for pumpkin everything all over the place – coffee, doughnuts, bagels and desserts. One of Kellam's (and Cara's) favorites is Yvette Chewning's pumpkin roll that my Mom use to make and now Cara and I make for him every year. I used to think rolled cakes were difficult, but they are actually very easy. You can really dress up rolled cakes with decorative icing or patterned powdered sugar designs and give as gifts. I think the cream cheese filling is better than regular cake icing. You can find the recipe and pictures of the process on our website library at <http://goo.gl/RRZSfr>. While I do not care for pumpkin pie, I do like the pumpkin cookies that Courtney brought to the family recipe box. They're moist from the pumpkin, so they will not keep for long-which in our house is never a problem. You can serve them warm out of the oven (my fav), room temperature or chilled in the fridge. You can find the recipe and pictures of the process on our website library at <http://goo.gl/Gkmp1Z>. I actually just made these so you could see them.... well, that's what I told myself anyway -- enjoy!

## On The Local Front - Town Center



Portsmouth mayor Kenny Wright has big ideas for a new recreational center in the Truxtun area. According to the Virginian-Pilot (<http://goo.gl/woaxh4>), Wright wants a "mega-recreation center in every quadrant of the city," offering amenities and services such as pools, gymnasiums, and mentoring. Wright says that there are around 14,000 kids who need a place to go after school, with many of them coming from single-parent families in an area with high crime rates. Kids busy with organized activities tend to stay out of trouble. There are five recreational centers within two miles of the proposed site, however.

There was a \$65,000 city-wide recreation study done recently that recommended fixing up the existing centers, but Wright feels they are too old and outdated to implement his plans. Councilwoman Elizabeth Psimas has suggested working with the city's schools and churches as a resource to supplement the existing centers. At the city council meeting on September 16, Psimas opined that Portsmouth first needs a comprehensive, long-term plan for the whole city, looking towards the future and not just what Portsmouth needs today. Even though there is money in the budget (around \$5 million) for a new building in Truxtun now, there are numerous reoccurring operating costs such as employees and general maintenance to consider. Churchland does not have a recreational center at all and many residents say if a new building goes up, it needs to be in Churchland first.

## Family Time...



Bryant was very excited to have his cousin "ABCs", aka Avery, along with friend Molly come over for a fun night of pizza & games. The girls were great sports and made him a very happy boy by playing Disney Infinity, Cootie and Parcheesi.



In anticipation of Halloween, Gretel got into the spirit with her pumpkin shirt! She loves the thing - we think it's because it's snug and keeps her warm. She's posing on the giant bear that was once Avery's, but Gretel has laid claim to it as her living room bed.

## Family Law:

**In a divorce action, if the parents cannot come to an agreement regarding custody and visitation of their children, the Court will make a decision for them. The Court's focus will be what is in the children's best interests, as required by Virginia law. There are ten factors the Court must consider, including the children's mental and physical needs, the relationship between each parent and each child, and the role each parent has played in raising the children. Learn more at <http://goo.gl/TPZBwt>.**





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## INSIDE THIS ISSUE:

- Custody factors considered by Courts
- Portsmouth's desire for more rec centers
- Cyber Security Awareness Month

## Tech Tip:

October is Cyber Security Awareness Month, so I am going to give some information and tips regarding online security. I have previously written about my favorite password manager, LastPass. Whether you use this app, another app, or no app at all for passwords, you must have strong, secure passwords. There is an enlightening infographic at RoboForm's website (another password manager) which discusses how "hackable" your password may be (and also has a test box to actually check yours). <http://lp.roboform.com/cyber>. Another good resource is the National Cyber Security Alliance's website - <http://www.staysafeonline.org/>. This site has a ton of information for both individuals and businesses on how to be smart about online safety/privacy. I'll leave you with a few practical tips for iPad users to beef up their security:

1. Set a pass code (use a real password, not a 4-digit code)
2. Activate auto-lock (and set it for a short duration) so that your

device is protected when you are not using it

3. Set a maximum allowable number of pass code attempts (so that the device is wiped if someone tries to hack it)
4. Disable Bluetooth when not in use (so that it cannot be exploited)
5. Install a tracking app for locating your device if lost (Apple provides "Find My iPad" for free)
6. Make it harder for thieves to disable the tracking app by turning on "Restrictions" and locking changes to "Location Services" (Settings>General>Restrictions [set to enabled] >Location Services [set to "Don't Allow Changes"])
7. Lock down Siri. Siri can be accessed from a locked iPad and thus someone can access your contacts, etc. even though locked. To do this- Settings>General>Passcode lock> "Allow access to Siri when locked with a passcode" - OFF

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

September 2013 Newsletter | VOLUME 2 - ISSUE 9 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Credit Card Fraud
- Chesapeake on the Grow
- Tablet Entertainment



## *Kellam's Corner*



We hope the transition back to school for those with children has been a good one. We went back to school, of sorts- Deb and I attended a two-day marketing summit in northern Virginia which covered a variety of topics and innovative ideas. I'm looking forward to implementing some of these concepts in the coming months to continue to grow the firm.

Speaking of growing the firm, I'm pleased to say we found someone for the admin position...at least in the short to mid-run. After a thorough search, we didn't find the right fit; however, luckily someone I know was looking for a job while seeking a position in their field (IT). Gives us some much-needed staffing support to handle the increasing workload, so keep the calls coming!

## *Personal Injury*



More than likely if you have been in a car accident that was not your fault, the other insurance company wants you to settle the claim quickly. Besides knowing you need to hire an attorney and not give the other insurance company a statement about the accident, what do you know about filing a lawsuit?

Some basic information is outlined at our site here:  
<http://goo.gl/BZUAY4>.



## *Did you know?*

Stanley Martin Lieber is the co-creator of The Fantastic Four, Iron Man, and Thor - just to name a few. Stan almost quit making comics, but at his wife's urging, he began to make superheroes the way he wanted to with a sense of humanity and tackling real world issues. "Stan Lee" continues, at age 90, to be involved in the world of heroes.



*"Attitude is a little thing that makes a big difference."*

*— Winston Churchill*

## CREDIT CARD FRAUD

Credit card fraud and identity theft are still on the rise. According to the Federal Trade Commission, one in five consumers has an error on their credit report. Even though Virginia recently changed laws involving identity theft, increasing the punishment if convicted, you may still be stuck with damaged credit and the hassle of trying to repair that damage. It is not as easy as just calling the bank or credit company and telling them there's a problem. It can take months to years of effort trying to get the credit bureaus to change anything, even after you have proven the error or theft.

One preventative step is to frequently monitor your credit and bank accounts so you can quickly take action to prevent a small breach from becoming a major issue. There are three main credit reporting agencies: Equifax, Experian, and TransUnion. You can request a free credit report from each agency annually, see how at our website <http://goo.gl/slJ9Zj>. Once discrepancies are found, you need to contact the credit agency(ies) right away to dispute the erroneous charges. Make sure all requests for information and all claims of error are put in writing and sent by certified mail. This will help lay the groundwork for a lawsuit, should that become necessary. You will need to prove that you have done your due diligence every step of the way.

Keep in mind thieves don't just steal your wallet and drain

your bank accounts anymore. With today's technology they are able to open new lines of credit in your name or create a new identity using your social security number. They may call and pretend to be from your bank, saying that there has been suspicious activity and ask you to verify your information. Hackers have even attempted to break into retail or restaurant databases to steal your credit card information. Online retail stores are prone to this, especially if they do not have a secure website. Sometimes dishonest cashiers will use skimmers or switch out your credit card for a fake that looks like yours. Thieves will try to place card skimmers on ATMs and gas pumps or take your bills from the mailbox. Some thieves will peruse the obituaries and then take advantage of the Social Security Administration's Death Master File to get social security numbers.

It is not just your credit that you need to be worried about. Think about how often you hand over your children's information- at schools/daycares, doctor's offices, sports teams, camps, etc. If those files are not handled properly, your children's information could be stolen and misused. There are a few things you can do to help keep your credit safe: be vigilant in checking your credit card statements, never give information out over the phone or by email, pay attention at the register, and don't list full birthdates or addresses on social media sites such as Facebook.

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## Deb Dishes:

I may have been the last to know, but Fresh Market makes a “change your life almond pillow cookie.” I did not know when I bit into this almond scented cookie that it has a “filling” that contains almond paste, so it’s not only pleasing to your nose, but also in taste and texture. Thanks Sandy Montagna for sharing that with me! Since I don’t live near Laskin Road, I had to find a recipe to make these myself. My daughter-in-law, Courtney, was kind enough to make the first test batch.... it’s a keeper!! You can find the recipe we used on our website at <http://goo.gl/JzJBjA> . Another find was Bahama Breeze at Pembroke. Their coconut shrimp was delicious and all appetizers were ½ price during happy hour. I had the Shrimp & Cheese Grits, per the server’s suggestion and I was very pleased. They had live Caribbean music playing outside with the patio open letting in a nice breeze. I saw many colorful drinks being delivered and smiling faces on those drinking them. Our server was very kid friendly and Bryant enjoyed his chicken fingers with broccoli and grapes. They also have curbside take away service with an online menu. So if you feel the need to “escape” to somewhere tropical, try Bahama Breeze!

## On The Local Front - Town Center



According to FOX 43, the City of Chesapeake might get its own “Town Center” in the Greenbrier area off Volvo Parkway. Dollar Tree Incorporated is heading this project, with plans including residential, retail, hotel, office space, and a civic area.

City council members are hoping to revitalize the area and bring in more jobs and revenue. On the downside, things would get worse before they get better. The council members say it will save the taxpayers money in the future by drawing more on business revenue instead of taxpayers, but with a projected timeframe for completion at 35 years, how long until results are seen? Will the taxpayers have to chip in to get it started? Construction would make a bigger mess out of traffic and could negatively affect current businesses by making it difficult for customers to access them. The traffic logistics could be a nightmare that some are not willing to endure.

On the positive side, the creation of Virginia Beach’s Town Center has revitalized, and been a great addition to, the Pembroke area. Not only drawing more shops and businesses, but customers too. It has become a great place for condo living, a night out and local events such as holiday parades, and summer concerts. People tend to spend money at the shops and restaurants as they attend these community-building events. Chesapeake city council members vote on this proposal this month.

## Family Time...



Deb’s Miss Mia, Bugg & Doodle aka Mia, Bryant and Maxwell enjoyed being buried in the sand one more time before that sand gets chilly! There were many dogs walking by that got some Mia love and the boys built sandcastles. They also made letters in the sand with shells and noodle water soakers. It was a fun and sandy family day!



Lia took Grant on a “mini-vacation” to Washington, D.C. over Labor Day weekend. They had a blast visiting the Smithsonian Museums, sightseeing the various monuments and riding the Metro, which was all fun but not as much as riding the carousel at the National Zoo!

## Family Law:

There are occasions when a foreign court order aims to divide the military pension of a divorcing couple. The Defense Finance and Accounting Service (DFAS) will review on a case-by-case basis to review if the service member had participated in the foreign proceedings, agreed to the foreign order, and determine who has jurisdiction over the service member. DFAS’ goal is to ensure the service member had the opportunity to be heard and/or have a U.S. court possibly reject the foreign order.





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## INSIDE THIS ISSUE:

- Credit Card Fraud
- Chesapeake on the Grow
- Tablet Entertainment

## Tech Tip:

This month I'll mention a few useful entertainment Apps. First are a few Apps to handle your TV watching needs. "Can I Stream It" is a nice App to have - it lets you see if a show (or movie) is available on any of the streaming services.

Another popular App is "Fan," which lets you follow shows to know when they'll air and also get recommendations for others you may enjoy. As a Cox Cable subscriber, I use both of Cox's Apps - "TV Connect" allows you to watch TV on your device and "Cox Connect+" allows you to control your home DVRs from anywhere. I used the latter to record a show I had forgotten premiered when I was in Vegas last month - handy!

For moves, I enjoy "Movies by Flixster," which gives you

movie information, trailers, show times, and Rotten Tomatoes review listings. I also like "Spideo," which lets you discover movies (and TV) by genre and mood.

Lastly, in the audio arena, I've enjoyed "OneTuner," which gives access to radio stations from across the world and genres. I use "Pandora" to listen to music, as well as "Rhapsody," though the latter requires a subscription.

Most of these Apps are free. Speaking of free Apps, I recommend you get "Apps Gone Free," which is an App that lists daily free Apps across the spectrum. It is where I got OneTuner (normally \$1.99) - you'll find something interesting almost every day.

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# STAYING *in Touch*

August 2013 Newsletter | VOLUME 2 - ISSUE 8 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Custody Concerns for Military Parents
- Norfolk's Homelessness
- Online Reading Tools



## *Kellam's Corner*



I think I'm still recovering from our Vegas trip! The shows were amazing, food was excellent, and there was a lot to do during the day for everyone. We're getting back into the swing of things with Kelly going back to work, school starting up for Avery, and the firm interviewing candidates for an admin position to help with the workload. We hope everyone had a fantastic summer and look forward to continuing to hear from you as to interesting things you are doing.

Speaking of interesting things, we'd like to start including events or activities our readers are involved in that they may wish to let others know about, so please send those along to us as well. As always, we love to hear from you.

## *Personal Injury*



Insurance claim adjusters take many factors into consideration when reviewing your auto accident claim. They may call the officer to review any statements made at the scene; examine how soon you sought treatment for injuries; or label some injuries as preexisting and then want to review your medical records from before the accident. Given the uncertainty of the process, it's best not to speak with the other insurance company about the injury portion of your claim, rather seek counsel.



## *Did you know?*

Maurice Hilleman was a microbiologist who developed 8 of the 14 vaccines routinely administered today. He developed 36 vaccines and played a role in discovering cancer causing virus SV40, hepatitis viruses and cold producing adenoviruses. He is credited with saving more lives than any other scientist of the 20th century.



*"The formula for success is quite simple:  
double your rate of failure."*

*– Thomas J. Watson, Sr.  
(founder of IBM)*

## FAMILY LAW

There are a high concentration of military families in the area so it's no surprise we have many clients and friends of the firm that are in the military. Because of this high population, I would like to expand on our January newsletter's article on the 5 myths of military divorce, specifically discussing custody concerns of deploying military parents.

In 2008 Virginia enacted the Virginia Military Parents Equal Protection Act. This law addresses custodial decisions when a military parent is deploying. Pursuant to its terms, any custody order based in whole or part on the military service and deployment of the military parent will be temporary and will revert to the previous order when deployment ends. You cannot use the fact that a parent is in the military and subject to deployment as an argument for changing the child custody/visitation order to prejudice the parental rights of that military parent. If there is no order in place, the courts will expedite a temporary hearing to establish custody/visitation and support to ensure the parent-child relationship is protected until such time deployment is over and a permanent order can be established.

Although this Act helps define situations where a military parent is deploying, it is important that a military parent have a custody order in place from the beginning to avoid an unnecessary court battle. Military members are relocated throughout their career and if the deploying military parent lets the non-military parent who lives in a different

state have custody while he or she is deployed, then that state could become the home state of the child. A court order in Virginia specifying terms will help ensure jurisdiction over custody/visitation stay here.

Another issue that should be considered is if both parents are military (including Guard and Reserve) and subject to deployment. In such situations, third party custody designations need to be considered. Yet another consideration is that of remarriage and the role of the step parent. While the military may require a Family Care Plan, be advised that any designation within that document will not trump Virginia law. Custody does not legally transfer with a designation made by the parents nor will it with a Power of Attorney. Courts have the sole right to assign custody, not the parents (though courts will usually approve any arrangement agreed upon by both parents). Also keep in mind that third parties such as step-parents or grandparents are rarely given custody over a parent. There have been many cases where a military parent felt he/she had custody covered only to have the children be given to the other parent while deployed because of the lack of a proper court order prior to leaving.

How your custody order is written can mean the difference between relative harmony between parents or a costly legal battle due to loopholes. It is important that if you are in the military that you have the right legal documents in place to protect your rights and that of your children.

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## Deb Dishes:

Oh I how I love seafood more in the summer. We recently went to Surf Rider at the marina off Shore Drive in Norfolk. I was one of the first followers of Surf Rider when it open its door on 17th Street back in the 80's and always loved steamed shrimp & broccoli night. It was very cozy with a daily changing menu written on a chalkboard and we all knew each other by name. Now they have several locations, printed menus, and carry a larger variety of foods including fried and broiled seafood platters, burgers, sandwiches, and wraps. Some of my Montagna family, Bryant, and I had a very good meal of fresh salad, large fried butterflied shrimp, crab stuffed fish, crab cakes, and she crab soup with many sides. Surf Rider still has that old home-cooking flavor with sides like corn pudding, green beans, hush puppies, applesauce and truly "baked" potatoes. Bryant was able to get pasta, no sauce and a bowl of cucumbers making it a picky-kid friendly dinner. Our waitress could not have been nicer or more appropriately attentive. The atmosphere was relaxing, not too loud, and tables not too crowded with great marina views. So if you have not been to Surf Rider, get on over for a good, enjoyable meal or two!

## On The Local Front - Homelessness



There is a story online at ABC 13 WVEC about 70 benches in three Ghent neighbor parks being removed in response to resident complaints of the homeless sleeping there and many unsavory and illegal activities during the night. The determination to remove the benches was made after a two-year study on the problem. You can read it here <http://goo.gl/qqtlgu>. Several issues come to mind. First, why does it take a two-year study to come up with this "solution?" Second, where do the homeless go?

In 2004 Mayor Paul Fraim brought the city into the fray, no longer leaving it solely to the non-profit organizations to address this issue. In 2005 Norfolk formed the Commission to End Homelessness and issued a blueprint with a 10 year plan to end homelessness in Norfolk. While there are a number of factors contributing to the profile of the homeless population, the fact that affordable housing is getting harder to find compounds the problem. Our area is fortunate that the number of homelessness is manageable with the correct resources in place, versus a large city like New York or Los Angeles whose numbers are staggering.

Per the National Alliance to End Homelessness website, Norfolk homeless decreased 25 percent from 2006-2008. Norfolk has the Homeless Action and Response Team (HART) and Norfolk Emergency Shelter Team (NEST) that work together to get people and families off the street, fed, and working towards employment and re-housing. While homelessness may not be gone by 2015, strides toward that goal appear to have been made.

## Check Your Credit:

We have advised, in our previous editions, that everyone should obtain their free annual credit reports from the three main credit-reporting agencies. Try staggering them and get a report from one of the three agencies every four months, thereby allowing you to check your reported information periodically. For most people the information among the three agencies' reports is similar. You can find out how to request a copy of your free annual credit report on our website at <http://goo.gl/diAqc>.

## Family Time...



Bryant heading into the umbrella of water at Ocean Breeze Waterpark. Deb & Bryant have been spending a great deal of weekend time riding the tubes, floating down the river and crashing into the waves. The Vortex is their favorite tube ride and Bryant loves "racing" around the lazy river on foot.



Avery donning a Cirque du Soleil mask before a performance of "O" at the Bellagio. One of the amazing shows the Parks family enjoyed on the recent Vegas trip!





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## INSIDE THIS ISSUE:

- Custody Concerns for Military Parents
- Norfolk's Homelessness
- Online Reading Tools

## Tech Tip:

This month I tackled a few online reading suggestions. First is my recommendation for a replacement RSS reader for Google Reader (since they shuttered their service in July). For those not familiar with RSS (Rich Site Summary), think of it as standardized publication of web content, such as from blogs. The content providers "push" their updates out into the RSS feed to be viewed on a reader platform (thus saving you from manually checking numerous blogs each day to see if an update was posted).

I have over 50 blogs that I monitor, which would be impossible without a reader. Google had a great free reader, but with its demise, I found Feedly: <http://www.feedly.com>. Very clean, robust, and you can access it easily from a computer or any mobile device via an app.

Second, which goes hand-in-hand with Feedly is a good delayed viewer of material. If you see something online you are interested in via Feedly or elsewhere on the web and do not have time to view it immediately, a good tool to grab the information is Pocket.

This app integrates with many other viewing apps (such as Feedly, or others like Twitter or Flipboard) and allows you to basically save the content in the Cloud to be viewed on any other device later - with just the basics if offline, or the full content if online. <http://getpocket.com/>

Both of these apps/services are free and will have you getting through your information faster than ever!

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# STAYING *in Touch*

July 2013 Newsletter | VOLUME 2 - ISSUE 7 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- New Laws
- The Cavalier Saved
- Military Impact on Custody



## *Family Law*



Military deployment and/or relocation causes unique concerns over custody/visitation. Family care plans are required by the military, but they are not binding under Virginia law as to what will/ can happen. You should incorporate your wishes in an order if possible. For deployments, if the change of circumstance is not in an order, Virginia does have a statute that governs how temporary shifting of custody works in these military situations. The Virginia Military Parents Equal Protection Act - <http://goo.gl/mkVi3>

## *Kellam's Corner*



I hope everyone had a fun and safe 4th of July. The Parks family went to OBX for our annual summer trip, enjoying the sun and surf.

On the business side of things, July 1 is the date when most new laws for 2013 come into effect and our long article this month highlights some of the most notable. If you have any questions or concerns about any of the ones we listed (or any of the new laws enacted), feel free to drop us a line. As always, we love to hear from you about anything, so be sure to stay in touch throughout the summer!

## *Did you know?*



When traveling, take notice the position of the exit # mini sign on top of the street name sign and you will know whether the exit is going to be on your left or your right. This will help you avoid last minute lane changes, which could result in an accident.



*"The law of nature is: Do the thing, and you shall have the power: but they who do not the thing have not the power."*

*– Ralph Waldo Emerson*

## NEW LAWS

July 1 is the date most new laws passed by the Virginia Legislature take effect. Some of the more notable changes this year in our practice areas are below. We've given the link to the new law's text beside each.

- **Virginia Code 8.01-27.5:** Requires healthcare providers to submit their bills to a patient's medical insurance company. This was an issue because some healthcare providers were refusing to submit the bills in cases of accidents - they were waiting to get paid as a result of settlement or verdict. This often times resulted in a negative impact on a patient's credit, as they could not pay the bills and healthcare providers were submitting to collection agencies who reported past due accounts to the credit reporting agencies. <http://goo.gl/Vimcw>

- **Virginia Code 18.2-186.3(D):** The punishment for identity theft where five or more persons' information is involved was changed to a Class 5 felony and that of 50 or more people to a Class 4 felony. <http://goo.gl/NgNnN>

- **Virginia Code 46.2-1078.1(C):** Driving while texting is now a primary offense. This means you can be pulled over by the police for said offense (rather than being caught in the act while being stopped for another offense). The fines were increased from \$20 to \$125 for the first offense and from \$50 to \$250 for a second offense. <http://goo.gl/WZRV>

- **Virginia Code 20-108.1(A)(4):** The courts can now consider a parent's decision to attend an educational or

vocational program that is likely to maintain or increase his or her earning potential as a factor in determining whether to impute income to such parent for child support. This bill also allows for child care costs for said education to be considered. Prior to this change, a court would not be able to give parents any benefit for trying to better themselves and the child care costs for pursuing said betterment (the current law only allows "work-related daycare expenses" to be considered - education was not included). <http://goo.gl/y8vIJ>

- There were numerous changes to the Virginia Residential Landlord Tenant Act (VRLTA). If you rent property (or are a landlord for residential properties that may be covered), you should ensure you read the VRLTA each year so you know your rights and responsibilities. A few of the changed/added provisions include new avenues of action for tenants regarding terminated utilities; the handling of security deposits upon termination of tenancy; and how landlords can dispose of tenant property upon eviction. <http://goo.gl/E1zYV>

Note that if you had a case pending prior to July 1, 2013, your case will be based on the laws prior to that date. If you feel your support case would benefit from these laws, as your attorney I can discuss how you can possibly re-file. You can also go to Virginia's Legislative website to get the full text of the bills which led to these revisions and/or to review all proposed legislation (whether passed or not). <http://goo.gl/yFyr0>

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## Deb Dishes:

During the summer, we like to eat a little lighter and found a breakfast favorite called a "Dutch Baby." It's a reference to German pancakes and is a quick & easy recipe. In a blender mix: 4 eggs, 1 cup milk, 2/3 cup flour, 3 Tbsp sugar, ½ stick of melted butter (melt in oven proof pan), Splash of pure vanilla extract, thin ¼" slices of apple or pear. I melt the butter in my ovenproof skillet and then swirl to coat pan before I pour batter into blender and mix. Place fruit in pan, pour batter over fruit. Bake at 375\* about 30 mins until golden. Your baby will puff up and slide up the side of your skillet. Serve with a light dusting of powdered sugar. You can find this recipe on our website @ <http://goo.gl/wKC5N>. Another favorite of ours is the amazing cornbread recipe we slightly modified from a recipe Paul brought home. Take 2 cups of Bisquick, ¾ cup sugar, ½ tsp baking soda, ½ cup cornmeal, mix well. Add 2 eggs, 1 cup milk, mix well. Melt ¾ cup butter in a 9/13 pan – do not cook, just melt it. Swirl it all over to grease pan then pour melted butter into batter. Mix well and pour back into pan. Bake 25-30 mins or until golden. You can find this recipe on our website @ <http://goo.gl/JR7gM>.

## On The Local Front - Cavalier Saved!



"The Hotel That Made Virginia Beach Famous" is how The Cavalier has often been described since its debut in 1927. With 195 guest rooms and 350 acres (including a golf course) the hotel named from a newspaper contest set high standards on quality. There was non-stop train travel from Chicago and Cleveland to The Cavalier. Because many believed seawater baths were medically beneficial, seawater was an option for every bathtub. There were shops for haircuts, clothes, ice cream, a doctor's office, a stock brokerage office, and even a live radio broadcast station. Fast-forward 86 years and the Cavalier's future was uncertain.

The historical Cavalier and its more modern sister hotel on the oceanfront were up for sale as part of a court-ordered liquidation. Developer Bruce Thompson, pending new owner, presented his plans to the Virginia Beach City Council requesting financial assistance to keep the older hotel or else he'd have to tear down same in his remodeling plans, due to costs. After a town meeting for residents to voice their views on the pros and cons of city assistance to the project, the council voted on July 2nd, approving 7-1 the expenditure. City Council has approved \$18 million dollar to help restore The Cavalier, with roughly \$11.8 million due by the July 22 closing sale date. The expectation is that the return on this investment will break even in about 10-12 years, with positive net fiscal impact in about 20 years. How do you feel about the city's contribution to save the landmark hotel?

## Staying Safe:

**One way to keep safer on the roads is to pay attention to vehicle manufacturer recalls and get your vehicle repaired as soon as you are aware of any recall. Check for your vehicle's' recalls on the NHTSA website @ <http://goo.gl/dGUzS>. It has the summary of the recall, the consequence, and the remedy. Also be sure to get your annual inspections and maintain your car to keep it in safe running condition.**

## Family Time...



Kelly and Avery outside Basnight's Lone Cedar Café on a recent getaway to the Outer Banks of North Carolina.



Bryant turned 6 with an Angry Birds party, cake by Granma! The Montagna family has been enjoying Ocean Breeze Waterpark and the beach. Happy summer is here and looking forward to having the whole group together at some point for more toes in the sand and salt on our skin.





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## INSIDE THIS ISSUE:

- New Laws
- The Cavalier Saved
- Military Impact on Custody

## Tech Tip:

As the Information Age has progressed, the ability to transfer and store data across multiple devices and systems has become critical. This is nowhere more evident than with the iPad where corded data transfer is clunky at best (and who wants cords anyway?)

"The Cloud" has solved this problem and there are numerous options for storing and transferring data via the Cloud.

Three of the most notable: (1) DropBox - not only is your data stored on the Cloud, it is synched between all devices that have the DropBox app installed so that any changes in the files are immediately updated everywhere. You get 2GB of data for free, but there are a number of easy ways to increase that (I use DropBox and currently have 13.25GB);

(2) Google Drive - also synchs between devices and inte-

grates with Google's services (such as Gmail or Google Docs). Google recently tripled their storage to 15GB across all Google services;

(3) SkyDrive - this is Microsoft's foray into Cloud Storage and integrates with its online services (such as being the default place Office 2013 saves documents). You get 7GB in free storage.

Before you choose a Cloud provider, it is important to review access security options and, especially if you use it for business, its retention security policies (think encryption and subpoena policy). Each Cloud service has its own plusses and minuses, so take a few of them for a test drive before settling down on which you prefer.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

June 2013 Newsletter | VOLUME 2 - ISSUE 6 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Live Traffic Cams
- Understanding Accident Injuries
- The Joy of Evernote



## *Family Law*



Child custody, visitation, and support are always modifiable by a court. In order to change something that has been entered in an order, you must first show a material change in circumstances from the time the order had been entered, and then, if you meet that hurdle, the court will determine what is in the best interests of the child for custody and visitation, and run presumptive guidelines as to support. Many things can constitute a material change - every case is unique, which is why we recommend hiring counsel before seeking a change in court.

## *Kellam's Corner*



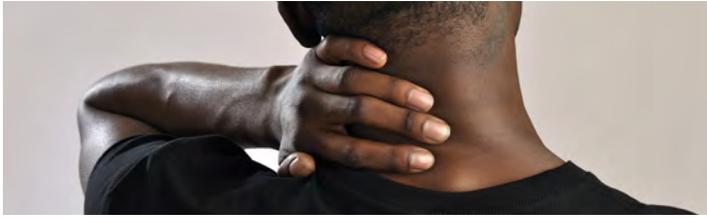
Summer has arrived and I can't possibly top my wife's enthusiasm for its arrival. As a school teacher, Summer means she is freed from the demanding schedule of juggling teaching, running our daughter to dance 6-7 days a week, and trying to keep the chaos of the house to a minimum. We'll soon be headed to Nags Head for our annual July trip and August brings a trip to Las Vegas, combining Avery's early 16th birthday celebrations and a family vacation to see the shows.

E-mail us with any fun or interesting things you are doing this Summer and share your pictures!



## *Did you know?*

Pianos originate from Italian "Keeper of the Instruments" Bartolomeo Crsitofori around 1700. It is believed they were created to give the loudness needed for a crowd while keeping expressive control of the instrument. Piano comes from the Italian word pianoforte meaning "quiet" and "strong," both can be accomplished playing a piano by how hard a key is struck.



*"A journey of a thousand miles begins with a small step."*

*- Lao Tzu*

## BODILY INJURIES

People often think severe, lasting, and/or permanent bodily injury only occurs in high-speed or dramatic accidents. This is simply not the case. Ligaments and muscles are not constructed like metal and plastic car parts are for impact. Even at a speed of 20 mph, there will be a suddenness of movement and force (think falling off a one-story building) that can tear ligaments, as well as joint, disc, and muscle fibers. While your back and lower extremities have some protection from the seat; your neck, head, and upper body are prone to injuries from the sudden movements caused by impact of another car. This is why you never state you are not hurt after an accident - you may not begin to feel pain until days later.

"Soft tissue" injuries (those not seen by x-rays) involve muscles, tendons, and ligaments that tear or stretch. These are the most common type of injuries suffered by car accident victims. Such injuries are also more difficult to prove, however they still require treatment so as not to inhibit healing. One such soft tissue injury is whiplash - caused by the violent snapping back of our heads, often associated with rear-end accidents. Whiplash can lead to a range of serious conditions from dizziness, memory loss, and herniated discs of the spine, just to name a few.

Trauma to your body is only one part of the potential injury from a car accident. Beyond the physical, there

are also the psychological effects. Some people experience depression and/or anxiety after their accidents. They may fear driving again or getting back in a car. This is especially true for children who may show these effects even months after the accident. To a child, even a low speed impact is a traumatic event in their life, so ask for a psychologist or therapist to speak with your child after physical injuries have been addressed. Be sure if you or any passenger in your car is feeling anxious or depressed, talk to your doctor and seek treatment regardless of when the accident occurred.

It is important to talk to your doctor about your aches, pains, and emotional state as the symptoms develop to ensure timely diagnosis and treatment. Keep a journal of how you are feeling each day, both physically and mentally. You also should take pictures of your physical injuries at the onset and then later after final treatment to show any possible scarring or disfigurement.

Like human bodies, damage to your car will be directly linked to its construction and area of impact. The car damage from various types of crashes can be viewed in interesting videos from the IIHS at <http://goo.gl/Cx9Ge>

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## Deb Dishes:

Summertime and Summer fare is abundant! If you have fresh strawberries or any berries, you need pound cake. Of course pound cake is also good with chocolate fondue and makes a nice food gift at Christmastime. I have the privilege to share with you the best pound cake recipe, hands down. Katherine Parks aka "Granny" was a good cook (at 92, she no longer cooks) and she gave me some of her best family recipes. For many years Summertime is also when we would have the Parks family reunion on the Eastern Shore. There was always such a variety of food and plenty of it. Granny made the best mac-n-cheese. On our website you will find the recipes for the mac-n-cheese at <http://goo.gl/gNLXH> and the pound cake at <http://goo.gl/ALhq5>. Speaking of family gatherings, I miss the days of weekly fried chicken dinners and cold fried chicken in the picnic baskets. Everyone strives to eat healthier nowadays. I never mastered the "perfect" fried chicken, so when I do indulge I head to Pollard's. Thankfully, Pollard's is still in business in the Tidewater area and if you have never had their chicken and puffs, you need to head over there now and you will learn why they have won awards for over twenty years for being the best in Tidewater.

## On The Local Front - Tidewater Traffic



Summer is here; officially starting June 21st. Tidewater will again feel the burden of heavier traffic on the HRBT due to the influx of tourists. The waterfront will be speckled with umbrellas and sunbathers. Walkers, joggers, and bicyclists will be out in droves filling the sidewalks, walk-ways, and streets. If you plan to travel, or you are a commuter traveling across the Bay, check out the traffic from these live cams: <http://www.511virginia.org/>. This will help you plan your travel route or an alternate route when needed. Just click on the camera on the Virginia or D.C. road you want to see. In addition, keep in mind that increased traffic means increased accident risks. If you haven't already, check out what to do if you are involved in an auto accident @ <http://goo.gl/SIJUm>. There is also a 10-step checklist you may want to keep in the glove box of your vehicle.

Summer also means an increase in the number of local events and activities in all the area's cities. Visit our Pinterest site board titled "local events" to see what is going on in Tidewater @ <http://goo.gl/lr2p3>. Let us know if you have an event you would like us to post and we will add it to our board. With so many local concert venues, parks, beaches, the zoo, the aquarium and the historical sites, you can never get bored living in Tidewater. So be safe and enjoy the Summertime sunshine.

## Family Time...



Deb took Cara, Paul, and Bryant out to Henley Farm for strawberry picking! This area was "the country" when Cara & Paul were Bryant's age. Buckets of beautiful red berries were hauled home and made into jars of freezer jam. And yes, Bryant & Deb ate some right off the vine, after paying but before washing!



Lia & Grant - Good moms let their kids play with the hose, great moms play with them and awesome moms don't even bother changing out of their work clothes first!

## Credit Report:

Have you been turned down for a job after having a great interview and wondered why? Did you allow them to pull your credit report? Most employers are not interested in your credit score, but rather what is being reported on your credit report such as late payments as indicative of your overall responsibility level. You should always be aware of what is on your credit report and how it can affect your employment search. Any negative employment decision based on your credit report requires a disclosure by the employer under the FCRA.





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## INSIDE THIS ISSUE:

- Live Traffic Cams
- Understanding Accident Injuries
- The Joy of Evernote

### *Tech Tip:*

This month I am covering one of my favorite productivity tools - Evernote. Evernote is an application that lets you create notes that synch between all your devices. On your desktop the files can be easily searched and accessed in separate "notebooks." The real power comes from your mobile devices, however - the App allows you to view and edit your notes, as well as make new ones using text, camera, or microphone. You can also download plug-ins for your favorite internet browser, allowing you to clip things straight from the web to your notebooks.

One of the amazing features of Evernote is that it not only searches entered text, it uses OCR on your images to be able to search them too (so you can take a picture of a receipt on a business trip and it will make that word-searchable). A few additional features of Evernote: (1) Tags - you can create tag notes which creates associations between

notes within a notebook or in different notebooks and (2) Note Links - Each note has a hyperlink that you can paste into other notes to allow immediate access.

The best part of Evernote is that its basic service is free and is probably enough for the casual user. The company's premium service gives additional perks (such as offline notebook access for your mobile devices, larger files and a larger monthly file transfer cap, and more expansive OCR searching capabilities).

You can't really get a feel for the program until you've used it, so head to their website and give it a test-drive. The site is well designed and its Blog is a great place to get more information and creative ideas for uses of Evernote. [www.evernote.com](http://www.evernote.com).

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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

# STAYING *in Touch*

May 2013 Newsletter | VOLUME 2 - ISSUE 5 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Identity Theft
- Surprising Suffolk
- Windows 7 Useful Tips



## *Family Law*



In order to maintain a divorce action in Virginia, you or your spouse must be both a resident of, and be domiciled in, Virginia for six months prior to filing for divorce. "Residency" is merely where someone lives, whereas "Domicile" is presence plus an intention to live there permanently or at least for an indefinite period of time. With so many military service members in the area it is important to point out that Virginia has enacted a statute stating that if a service member is stationed in Virginia or has resided in Virginia for the six-month period, presumptively the residency and domiciliary requirements are met. This is important because with common law that wasn't necessarily the case.

## *Kellam's Corner*



We continue to be busy at the office and beyond. I attended the Norfolk Portsmouth Bar Association annual dinner and I am pleased to have chaired the Professionalism Committee responsible for vetting the nominations for the Eggleston l'Anson Professionalism award given out at the event. I enjoy such opportunities to give back to the legal community. On the home front, we're ramping up for Summer - planning events and outings.

We've enjoyed hearing from you in response to the Newsletter - please continue to keep us up to date on what's going on in your lives.

## *Did you know?*



Francis Scott Key, who penned the Star Spangled Banner, was a practicing lawyer. His sister, Anne Key, married Roger Brooke Taney, who later would be the Chief Justice that gave the decision in the Dred Scott case, which states that blacks could never become citizens of the United States



*"We look into mirrors but we only see the effects of our times on us – not our effects on others."*

*– Pearl Bailey*

## CREDIT REPORTING

On our website, you will find numerous news articles on the growing problem of identity theft and its harrowing effects on people's lives. The articles can be found under all of our Summary of Social Media Posts at <http://goo.gl/1iRJq>. Included in those articles is the story of a victim who spent ten years trying to bring the woman who stole her identity to justice. The thief assumed the victim's identity and used it to gain employment, a driver's license, a mortgage and medical care for the birth of her two children. The headlines are very telling of how serious and widespread this problem has become and how it is expanding into many aspects of our financial lives. It is not just about someone getting a credit card in your name, charging it to the max, and leaving you to pay off the debt.

There are people who are using stolen IDs to get medical care, student loans, buy cars and houses and file false tax returns. The thief does not have to ever have physical contact with you to use your good credit, that of your children, or elderly relatives. Most of us have given our personal information to so many institutions and individuals over the years, whether online or on paper, making us ripe targets.

As mentioned in last month's newsletter, many people put excessive personal information on their social media sites. Thieves do not have to hack into institu-

tions, although that has happened too frequently of late - they can gather information from public sources and piece together your identity. One example of identity theft brought to our attention was when someone on the West Coast called a Virginia bank with just enough correct information that the bank staff changed the email and password for accounts of a local resident. The bank even mailed out a new order of checks with the West Coast address on them. This gave the thief access to the account(s), which he or she drained of funds and opened other lines of credit causing great distress to the owner. Fortunately, the bank made full restitution to their customer and shut down all the other open lines of credit prior to more loss.

Thieves are resourceful, diligent and technology savvy. You must likewise be diligent, routinely review, and guard your banking account and credit reports. Go to our website to see how to get a free copy your credit reports: <http://goo.gl/fQuQN>. Even small errors on your credit reports can be difficult to address - if you need assistance, feel free to contact us



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## Deb Dishes:

May is a fun month for me with Spring weather, Mother's Day, my birthday, and a three day Memorial Day weekend. Since our family birthday tradition is to have your favorite meal and cake, I always chose Chicken 'N Dumplings and a three layer "Ribbon Cake" with 7 minute frosting – those of you who cook from scratch know that means breaking out the double boiler. It has an almond layer, pink vanilla layer and light chocolate with a touch of cinnamon & clove layer.

My Mom would try to time it so she served the cake with the frosting still warm. I always try to get all three flavors in every bite! I wish I knew the origins of the recipe for the cake, so if you know, please share with me. Regrettably, I do not have the Chicken 'N Dumplings recipe, but I still make the cake. The recipes for the cake and frosting are too long for the newsletter, but I have placed them on our website for those of you who want to try the best cake ever. <http://goo.gl/rHFhQ> I hope you enjoy this as much as I do!



## On The Local Front - Surprising Suffolk



Back in the '90s there used to be a billboard on route 58 all bright with yellow, perplexing passersby with "Surprising Suffolk." I'm not sure if that sign is still there, but it should be. Suffolk has always been linked to images of cotton fields, peanut farms, pig farms, and beautiful rural settings that were all the "way out in the country." Suffolk is actually the largest city in Virginia, yet the local paper (Suffolk News-Herald) still lists the accomplishments of many local residents and has a Faith and Family section.

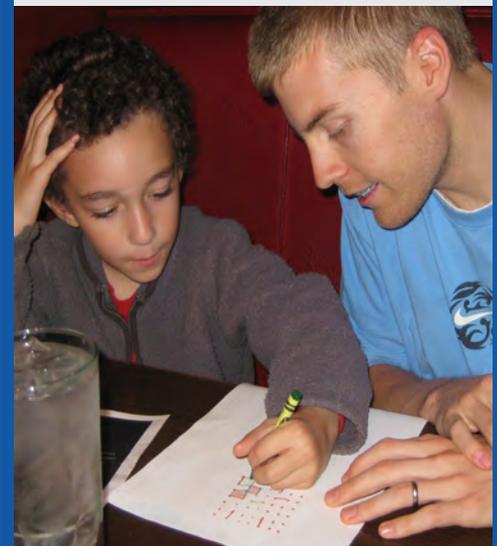
On May 8th Mayor Linda Johnson announced a transformation of Suffolk's downtown area. The plan is for several new business and residential construction projects to add to the historic buildings that currently make up the area. Lipton Tea announced plans to spend millions to expand their production plant. The US 460 Mobility Partners, LLC, the group that will construct the new 55 mile highway from Suffolk to Prince George, is to be based in Suffolk. Kroger Marketplace (Wal-Mart competition) begins construction in July. Planter's is still in Suffolk, as is Unilever, QVC, railroad hubs, and the military.

Sentara Obici Hospital, built in 1951, grew a three-story wing in 2010 to provide more state of the art services for the local residents. Recreational growth is occurring as well, Suffolk now has sushi, alpacas, and craft beers! Surprising indeed.

## Family Time...



Avery performing at her first dance competition. (She came in Second!!!)



Do you remember playing the boxes game? Paul teaches Bryant while they wait with Deb for fish tacos at Red Starr.

## Personal Injury :

May is National Bike Safety month and a good time to review and enforce riding rules before the increase of bikers in the summer months. Wearing helmets, riding in the same direction as traffic and obeying traffic signs are a few ways to ride safer. 2011 stats from the NHTSA's April report: 677 bikers died, 48,000 injured from car crashes while cycling with an average age of 32 and the worst time of day was between 4pm-8pm. Full report can be found at <http://goo.gl/fkzUs>





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## INSIDE THIS ISSUE:

- Identity Theft
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### *Tech Tip:*

Last December I shared a few Windows 7 shortcuts keys. This month I'm circling back to Windows 7 and providing a few useful less-known tips.

(1) If you've ever accidentally moved or deleted a file, no need to panic. The easiest fix is to use the keys Ctrl + Z. This will undo the action and restore the file where it was before you goofed. (2) Use your Taskbar - The Taskbar is the bar at the bottom of the screen that shows your running programs. You can also place ("pin") shortcuts to your most-used programs on the Taskbar simply by dragging the shortcut to the bar. I have all my most-often used programs pinned there for quick access. (3) Speaking of the Taskbar, once you have a program pinned, you can right-click the icon of that program and a "Jump List" menu pops up.

The Jump List gives you the main actions for that program or the recently opened documents for something like Microsoft Word.

Test it out on your favorite pinned programs to see what options you have - you might be surprised. (4) Need to open a Microsoft Word file at home but don't have Word installed there? No problem. Use the built-in Word Pad program (found under "Accessories" folder under Programs). You don't have all of the formatting power of full Word, but you will at least be able to read the file and make basic changes if necessary. I've found these tips extremely useful and I hope you will as well!

***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***



# STAYING *in Touch*

April 2013 Newsletter | VOLUME 2 - ISSUE 4 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Social Media and Family Law
- Fires on the Eastern Shore
- The Lure of Facebook



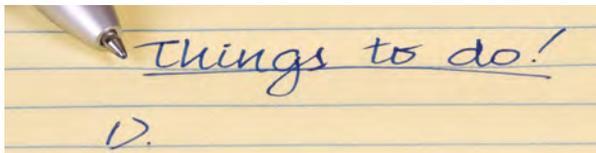
## *Kellam's Corner*



April ushered in two legal-related honors. I helped prepare the materials for a legal ethics seminar for solo lawyers and small firms and was a presenter at same for the Norfolk Bar Association's Bench Bar Conference. We focused on modern technology's impact on the practice of law.

I am also pleased to report that I have been chosen to serve on the Virginia State Bar's Special Committee on the Technology and Practice of Law. This will be a three year commitment beginning July 1. I am pleased that my knowledge of legal technology can be put to good use beyond just running the office!

## *Credit Reporting*



If you have a spring "to do" agenda, add "check my credit report" to your yearly list. It's simple and with the rising occurrences of identity theft, it's a must. To obtain the cleanest report from the Credit Reporting Agencies, as well as to document your request should future litigation be necessary, we recommend you mail in your request instead of making the request over the phone or through the internet. The form to complete can be found on our website. Once you receive your reports, make a copy to mark up and be sure to review each report carefully for accuracy. **Learn more at:** <http://goo.gl/ZMDLO>



## *Did you know?*

Salvador Dali would put a tin plate on the floor and then sit in a chair holding a spoon over the plate. The moment he dozed and the spoon hit the plate he would wake up to capture the surreal dream images to paint.



*"Do not bite at the bait of pleasure, till you know there is no hook beneath it."*

*– Thomas Jefferson*

## FAMILY LAW AND SOCIAL MEDIA

Times have changed and depending on which side of a domestic issue you are on, it could be for the better or worse. In the past, the telltale signs of infidelity were unexplained credit card transactions, lipstick on a collar, or a phone number found in the pocket. In today's technology-driven social media world, discovering infidelity might be as easy as reading Facebook or text messages. In civil cases like divorce, lawyers find a great deal of information on social media that they use in court, whether it be texts, status updates, pictures (some found on sites where the targeted person was tagged) or events logged. This information can be found without breaking any ethical boundaries or laws, and without the targeted person even being aware of the information being gathered. This extends beyond potential adultery, of course. If a party claims he can't afford child support and there are photos of him vacationing in a sunny island resort several times a year, you can be certain he'll have some explaining to do before a judge. Perhaps a mother states that her boyfriend is not living with her, but yet said boyfriend has pictures of her home on his social media pages stating it is his home. For your own safety, as well as possible future court action, you do not need to update the world of your every action or location.

Emails and texts make communications between parties permanent. People, especially younger people, tend to text or post on social media without giving much thought

to what they are saying. Too often texts, emails and posts are outbursts from anger and/or frustration. As a result, texts/posts often times give a negative impression (sometimes valid, sometimes not). As for social media, don't forget those mutual friends and followers that could share such information with an ex-spouse or a child's other parent. Please do not become the latest YouTube sensation participating in activities you would not want seen on the front page of world news.

Once a lawsuit has been instituted (or even if seriously contemplated), all evidence needs to be preserved. Deleting such information can be deemed by a court as "spoliation," which is the intentional withholding, hiding, altering or destroying of evidence relevant to a legal proceeding. While there is no independent cause of action regarding spoliation in Virginia, sanctions including potential granting of adverse summary judgment can be applied.

The bottom line is that the old adage of "think before you speak" is even more important in the digital age where communications are forever. I always advise my clients to imagine that the judge is looking over their shoulder at all times and act accordingly.

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## Deb Dishes:

We love tuna - but not the kind in a can or pouch. Here is our family favorite recipe for tuna steaks (via Rachel Ray). You may have to buy ingredients you don't have on hand, but after you make this, you will make it on a regular basis and those ingredients will become staples. Take 2 tuna steaks and sprinkle lightly with Montreal Steak Seasoning and Five-Spice powder (cheap in the Asian stores).

And if you do not care for tuna try this mixture on steaks, it's equally tasty. You can grill, broil or pan sear in a touch of oil until your preferred doneness. Tuna does not take long to cook, so be sure to watch closely. We cook it up in the toaster oven. This is great served with peanut sauce pasta. Mix together 2 Tbsp. smooth peanut butter, 1 tsp. Honey, 2 Tbsp. Tamari sauce (dark soy sauce), 1 tsp. sesame oil, 1 tsp. ground ginger. Pour over about ¼ lb. cooked pasta noodles and sprinkle with 1 Tbsp. lightly toasted sesame seeds. Add a wild greens salad and Wasabi dressing - ½ tsp. wasabi paste (equal parts wasabi powder & water), 1 Tbsp. rice vinegar, 1 Tbsp. tamari, 3 Tbsp. virgin olive oil, salt & pepper. This meal is quick, easy, and a taste sensation!

## On The Local Front



With 77 arsons it's not surprising that our neighbors on the Eastern Shore are the subject of a larger media audience than normal. The Virginia Pilot has been covering the story for a while and ABC reported the story nationally in March. A map of the fires by date can be found here <http://goo.gl/UueuY>. The fires began five months ago with the burning of abandoned residential and commercial buildings. No one was physically injured in these fires, but the property damage and the resources used to extinguish the blazes will amount to quite an expense. The state police investigation alone has cost more than \$125,000.

Former firefighter Charles R. Smith, III and girlfriend Tonya Bundick have been charged with arson and conspiracy to commit arson in connection with a fire started April 8th as state police observed during surveillance in the area. Smith has confessed that he started that fire and that Bundick drove the minivan. Search warrants for Smith's work shop, van and home have provided evidence that have police believing these two committed all but a handful of the 77 fires. At this time they are not releasing information as to how they have connected the two suspects to which fires or how they know some fires were copy cats. More charges are pending and court is set for May 2013.

Donations to help the mostly volunteer firefighters and their depleted funds are being accepted by mail: Shore Bank c/o Accomack Firefighter's Assistance Fund, P.O. Box 920 Onley, VA 23418.

## Personal Injury :

With car crashes being the number one killer of small children, it's important to know how to correctly choose and install a car seat and to know the law and guidelines as to their usage. The National Highway Traffic Safety Administration has many tips to help you when buying and installing a car seat. In the state of Virginia a child must be in a car seat in the back seat of a car until age 8 -see Virginia's child passenger laws: <http://goo.gl/y5TNU>

## Family Time...



Here we are all together on Easter. Paul, Cara, Bryant (Bugg), Deb, Maxwell (Doodle), Miss Mia and Courtney. Getting seven eyes and smiles looking all together was a challenge and we almost made it!



April is our dog Gretel Parks' birthday. She's not a pup anymore (though we never tell a female's age). Here is a cute picture when we first got her.





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## INSIDE THIS ISSUE:

- Social Media and Family Law
- Fires on the Eastern Shore
- The Lure of Facebook

## Tech Tip:

Seeing as over 1 billion people are using Facebook and we addressed social media in our Family Law article this month, I figured it would be a good topic to address in this month's Tech Tip. I resisted the lure of Facebook until last year when a high school reunion was approaching and Facebook was the only place details were shared. I personally only use Facebook to share interesting, amusing, or otherwise noteworthy tidbits in the areas of my interests with my friends. Many use it to share what is going on with their lives with the world at large. However you use Facebook, I want to share a handful of useful bits of information and tips I've discovered. (1) Be mindful of your privacy settings. The WSJ recently did an article on the topic and has an outstanding graphic guide: <http://goo.gl/sjkfl> (2) When you "Like" a page, your friends see what you follow and

Facebook uses you for ads in your friends' News Feeds. As an alternative, you can use the Facebook feature "Interest Lists." From a page you might normally "Like," click on the gear tab next to the "Message" button and "Add to Interests Lists." You will then create a list name and add that page. This will also allow you organize pages by topic, which you can't do with "Liked" pages. (3) When friends delete their Facebook page (or alternatively unfriend you) all of their pictures, including ones you're tagged in, disappear. There is a method you can employ to automate and archive those pictures so that you don't lose them. It takes a few steps, but it is outlined in detail here: <http://goo.gl/UHsgx>. (4) Lastly, before you post something, remember that social media is forever.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

March 2013 Newsletter | VOLUME 2 - ISSUE 3 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- What is Sequestration?
- Facts about Personal Injury Claims
- Google Tips



## *Kellam's Corner*



March ushered in Spring and there were no complaints around the office. I enjoyed reconnecting this month with some of my former law partners at a marketing event and several lunches with my colleagues in the area.

I hope to connect with more throughout the year to stay current with each other's lives and business - too often we get bogged down in the day-to-day craziness and lose touch. If you haven't heard from me in a while, drop me a line - I'd love to hear from you.

## *Family Law*



Child Support - Unless there is an agreement between the parents in place, child support is statutorily paid until a child reaches age 18 or until that child is no longer a fulltime high school student, not self-supporting, and living at home or 19, whichever comes first. The courts may also order the continuation of support for any child over the age of 18 who is severely and permanently mentally or physically disabled, unable to live independently and support him or herself, and resides in the home of the parent seeking or receiving child support.

**Learn more at:** <http://goo.gl/KOqAG>



## *Did you know?*

French biochemist and Shamengo pioneer Pierre Calleja has invented an impressive streetlight that is powered by algae which absorbs CO2 from the air. This one takes out 1 ton (!) of CO2 per year. This is as much CO2 as a tree absorbs on average during its entire life.

**View on YouTube:** <http://goo.gl/rjYNn>



*"We can complain because rose bushes have thorns, or rejoice because thorn bushes have roses."*

*– Abraham Lincoln*

## FACTS CONCERNING PERSONAL INJURY

A few facts concerning a personal injury claim after an automobile accident:

1. A lawsuit is not the only way to get compensation for your losses. Often times a demand is made to the insurance companies with your losses detailed. It costs the insurance company if the matter goes to court, so settlement is often reached; however, each case is unique and sometimes the amount offered is not enough to fully compensate you. That's why having experienced counsel is important to properly evaluate if a settlement offer is fair (or even worth making) and then to litigate if necessary to protect your rights.

2. Most injury claims do not take years to settle, assuming your treatment is finished. Once all of your damages are known, a demand can be made and the insurance companies will begin their negotiations. A lawsuit usually must be filed within two years of the accident and will be filed sooner if settlement is not going to occur to keep the matter moving. You should expect your counsel to stay on top of the matter and keep the matter moving forward.

3. The purpose of a settlement or lawsuit is to recover monies to compensate you for your losses due to the accident. There are several types of potential compensable damages: property, income, medical treatment (both incurred and possibly future treatment if any of your injuries are permanent), pain & suffering, and even potentially mileage due to travel for your treatment. Another type of damages is known as "punitive damages,"

which are awarded to punish the at-fault parties for their wrongdoing and to deter others from acting similarly. These punitive damages are generally only awarded when the actions are grossly negligent or on purpose (so a simple car accident would not qualify). Punitive damages are capped at \$350,000.

4. Virginia Law requires you to carry \$25,000 in bodily injury insurance on your auto insurance policy for the injury or death of one person and \$50,000 for injury or death of two or more people. This minimal insurance is unfortunately usually inadequate. It is important for you to carry more than the minimum to cover any accident that may be your fault and also to carry more than the minimum for underinsurance/uninsured coverage. This second type of coverage is for cases where the at-fault person does not have enough insurance. If this is the case, then your insurance coverage will kick in to cover your damages. Exactly how much insurance to have is a personal choice, based on what you can afford and how much you have in assets. The more you have to lose from a lawsuit (because you can be made to pay any overage in damages), the more you should have in insurance. At a minimum we recommend at least \$100,000 in single coverage, but encourage more if feasible. You will find the premiums are not that much higher. You may also want to investigate getting an "umbrella" policy, which is a cheap insurance policy that only comes into play if your other insurance is exhausted - think of it as a safety net.

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## Deb Dishes:

Another Holiday month is here and I am looking forward to family and food as always. For St. Patrick's Day I buy corn beef brisket which usually comes with a seasoning packet and slow cook it in the crock pot till fork tender. This also gives me time to make Irish Soda Bread (easy recipe at <http://goo.gl/v3dB3>). I boil the potatoes and stack the quartered cabbage on top to semi-boil-steam until tender. That way you can control just how "done" you want your cabbage.

For Easter the house is decorated with lots of bunnies, mostly hand crafted. We always dye eggs and decorate another round of sugar cookies (recipe found on our 1-18-13 blog post). Besides the ham, we always have scalloped potatoes. I have found the easiest way to prepare these is to clean and slice a 5lb bag of potatoes about 1/4" thick. Take a stick of cold butter and slice about 1/8". Take a 9x11 baking dish and place a layer of potatoes, sprinkle thin layer of Wondra gravy flour, butter, salt & pepper. Layer up and then pour about 1 cup whole milk over the dish, cover and bake at 350\* about 30 mins, remove foil and brown off the top for about 15 mins. You can add cheese to your layers, if you like them cheesy!

## On The Local Front



What is Sequestration? In relation to law, sequestration is the seizure of property for creditors or the state; however, as applied to our economy it is the automatic spending cuts to specific categories that began March 1, 2013. The Budget Control Act of 2011 was the deal struck when the Obama-Congress standoff over debt limit was not resolved. When the bipartisan Congressional super-committee couldn't agree on a proposal that law automatically went into effect.

About half of the cuts are being made to the military and defense budget. While the cyber intelligence industry will be hit in Northern Virginia, the shipyards will be hit in Southern Virginia. Flying out of either location's airports will have delays due to furloughed air traffic controllers. Commissaries have planned to be closed on Wednesdays, furloughing every employee once a week beginning March 31 through September. Many of the workers affected by this are local civilians and not government employees.

A ripple effect is inevitable - causing household budget cuts, which then affects car and home buying. Also hurt will be the businesses that rely on military personnel, civil workers, and government contractors for their patronage. The barbershop close to the shipyard, the bakery, and many small businesses will feel the cut. While some predict the effects will not be truly felt until later in 2013 or possibly 2014, make no mistake; Virginia will be hit harder than most other states.

## Credit Reporting:

What's in your wallet? Seriously, check. Do you carry a Medicare card? Does your driver's license still have your social security number on it? If you carry around these cards providing your date of birth, address and social security number, then you are opening yourself up for potential Identity Theft. So open your wallet and try to think like a criminal to see what could be used to steal your identity. Then eliminate access to such information.

## Family Time...



Here are Deb's two children Paul & Cara Montagna. Cara is Mom to Bryant (5.5 years) and Paul is Dad to Maxwell (newly 3) and Mia (1). The grandchildren were pictured in our January issue. Deb notes "I'll have to work in my wonderful daughter-in-law Courtney soon!"



Kellam's mother-in-law, Connie Hindmarsh, surprised her daughter with a portrait package of Avery for Christmas. It took a while to schedule, but Kelly, Connie, and Avery had a great time at the studio taking dance shots.





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## INSIDE THIS ISSUE:

- What is Sequestration?
- Facts about Personal Injury Claims
- Google Tips

## Tech Tip:

This month I am tackling searching on the internet.

I'll focus on Google, as it is the most used (80.32% of market share as of Feb.). There are a ton of useful tricks and tips, but the top five I have found to be the most useful: (1) Use Boolean search logic for searches - you can use the negative sign "-" to exclude words in a search. Example: Saturn -car [if you are looking for planet info to avoid car hits]; (2) Another example is the use of "OR" - this will let you have alternate phrases of the search term, such as shipwrecks OR "ship wrecks"; (3) Wildcard usage - If you don't know the exact phrasing of what you are looking for, use the asterisk "\*" to replace words in your quote.

Example: "Waste not \* not"; (4) If you need to identify

someone in a picture, you can drag the picture into the search box at [images.google.com](http://images.google.com) and it will identify the person for you; (5) After your initial search there are two useful narrowing tools: (a) Use the "Search Tools" option on the bar at the top once you have results to narrow by timeframe (the one I use the most), specific sites, or even location; and (b) "CTR-F" - hit these keys, enter the term you are looking for, and the terms will be highlighted for you to easily locate on the page.

There are many more useful tricks - if you are interested in getting the most out of your searches, take the free Google Power Searching courses - <http://goo.gl/3m1IU>

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# STAYING *in Touch*

February 2013 Newsletter | VOLUME 2 - ISSUE 2 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Tax Season and Identity Theft
- Easy Beef Stroganoff
- Tech Tip - iPad Apps



## *Family Law*



Custody of children is defined two ways in Virginia: Legal and Physical. In most cases parents are awarded joint legal custody, giving both parents a say in how the child is raised, even if the child primarily resides with just one parent. Physical custody is what it sounds like - which parent has actual physical care of the child. This is generally primary or shared, depending on the number of days with the non-custodial parent (and this can impact child support calculations).

Learn more at:  
<http://goo.gl/Q5dET>

## *Kellam's Corner*



**According to Punxsutawney Phil,** we're going to have an early Spring. Sounds good to me - cold weather on the coast is a drag. February was a busy month at the firm. Beyond the legal work, I had the privilege to be in the Virginia Beach Juvenile Domestic Relations Court on the 15th giving time to the Concerned Lawyers Advocating Spousal Safety program (CLASS). Through CLASS, attorneys donate time to represent persons seeking protective orders in instances of domestic abuse, which I've done for many years. February also hosted the Virginia Beach Bar Association's Annual Banquet, which is always a good time.

We like to hear from you, so drop us a note and let us know any exciting or interesting things that are going on in your life!

## *Did you know?*



Coca-Cola was invented in Atlanta, Georgia by Dr. John S. Pemberton in 1886. Pepsi-Cola was invented by Caleb Bradham in 1890 as "Brad's Drink" to be a digestive aid and energy booster. It was renamed as Pepsi-Cola in 1898. You can see a historical timeline of the inventions concerning soft drinks at <http://goo.gl/maUWC>



*"Common sense is as rare as genius."*

*– Ralph Waldo Emerson*

## FIGHT IDENTITY THEFT

With tax time here again, it's a good time to talk about Identity Theft. If you have been following my posts on Facebook, Twitter, and/or my Blog, you may have read about the importance of this issue. During this time of year an increasing number of people are learning that they are not getting their tax refund this year because someone else already has claimed it. I've shared numerous news stories concerning this growing crime and how the IRS is attempting to stem the tide. Identity theft presents obvious issues, not only for the individual victim, but to the government as well due to the strain it causes on our government's accounting. According to the Wall Street Journal, the number of tax-identity theft cases grew from 51,700 in 2008 to more than 1.1 million in 2011. (<http://goo.gl/4LfUD>) The burden on the individual victim is clear - months of waiting and having to prove your identity and that you are entitled to the refund for the tax return you have filed. This delay in receiving planned refunds will impact many people that count on these monies to pay bills, make delayed necessary repairs, or take vacation.

While electronic filing has cut down on paper and delays in getting to and being processing by the IRS, it has also allowed thieves to get the quick jump on fil-

ing and receiving tax refund-loaded debit cards before the rightful owner receives them. Because the IRS does not verify or compare names on bank records against their own records, thieves can even have refunds deposited into their special accounts. The information needed to accomplish this theft is easy to obtain - it does not require hacking into your computer or stealing your wallet. The necessary information is given to people and businesses all the time without thinking if that information is secure. I would hazard a guess that most people throw away documents that contain identifying information without shredding them or giving it much thought. These tax-refund thieves can even get your refund while siphoning off additional false refunds attached to your filing of which you know nothing about...that is until you are audited. If you receive an IRS notice that your income was unreported, your identity is probably being used for someone else's employment as well as their filing for a refund.

To learn more about how the IRS is helping victims and working to prevent fraudulent returns you can read the January 2013 IRS post on my Blog (<http://goo.gl/WahJS>).

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## Deb Dishes:

It's been a tish chilly of late, meaning great soup weather! My soups do not really have recipes and I don't measure much when I cook, so I thought I would I share a great beef recipe that folks love and is equally good over rice, mashed potatoes or egg noodles. Take about 1 lb. of stew meat (cut into small bite sized pieces) and dredge with flour then cook in a little oil until browned on all sides- skip this part is you want thinner gravy. Use a deep pot if cooking on stove as heating milk climbs up and will boil over if your pot is too shallow. Add 1 can of Campbell's cream of mushroom soup, 1.5-2 soup cans of milk or beef broth, 1 packet of dry onion soup mix. It will be very soupy to start and milk is heartier than broth, but both options taste good. I know it does not look appetizing when you mix it all up, but I promise it tastes wonderful. Let it cook for at least 1 hour on medium heat or up to all day. The longer it cooks the more tender your meat will be. I place foil over pot then put my lid on to keep in steam. Pick your fav carb and enjoy!

## On The Local Front



A new day is coming for the folks who commute between Norfolk and Portsmouth. The Elizabeth River Tunnels project has broken ground. Elizabeth River Crossings (ERC) has teamed up with Virginia Department of Transportation (VDOT) to build a new two-lane tunnel beside the Midtown Tunnel. The project also includes maintenance and safety improvements to the two current tunnels in operation, as well as an extension of MLK Freeway from London Boulevard to Interstate 264. Included in current plans will be minor modifications to the interchange at Brambleton and Hampton Boulevard. This comes after VDOT handed over operations and maintenance of the two current tunnels to ERC in July 2012. ERC will now be responsible for the maintenance, incident response and snow removal of these tunnels and about 51 lane miles of related roads. The new phone number to report a maintenance request is 1-855-ERT-ROAD. Per WVEC, VDOT Secretary Sean T. Connaughton said that there will be more than 500 project direct jobs and more than 1000 indirect jobs with related industries and suppliers (<http://goo.gl/Pj9Dd>).

The bad news is that come January 2014 there will be tolls on all the tunnels and the MLK extension. Tolls (one way) are based on time of day with off peak being \$1.59 and peak being \$1.84. It is expected that the new tunnels will save commuters 30 minutes a day once they have been completed.

## Personal Injury:

When children get injured in an auto accident, Virginia law has safeguards to protect their best interests. One example is that the statute of limitations does not end until their twentieth birthday. The exception to this rule is a legally emancipated child, who has the standard two year period in which to file an injury claim. Virginia is one of the few states to still recognize "contributory negligence," and it is important to know how this concept applies to children. You can read more at <http://goo.gl/ZEuIl>

## Family Time...



Our Dad , Ron Parks (2nd from right) visited our brother Bill Snowdon (far right) and his family in Florida to celebrate their February birthdays. Also celebrating birthdays over the weekend visit were Bill's daughter's two-year old twins, Chloe and Olivia.





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## INSIDE THIS ISSUE:

- *Tax Season and Identity Theft*
- *Easy Beef Stroganoff*
- *Tech Tip - iPad Apps*

## *Tech Tip:*

This month I am recommending a few iPad productivity Apps. I had the honor of being asked to contribute to an iPad seminar for lawyers through the Virginia Trial Lawyers Association which presented across the Commonwealth last October (“iPad for Virginia Trial Lawyers: How to Prepare for Trial and Make Your Case”) Our committee put together materials highlighting some of the more popular productivity Apps for the iPad. While some of them were litigation-specific, many are of excellent general use. A few of the most useful Apps which I use and recommend (some found in those materials, some not): (1) GoodReader: File management system allowing you to organize, access, and annotate files; (2) Dropbox: Secure password-protected Cloud service which allows you to transfer documents from your computer (or any device) to the iPad; (3) Notability: A note taking App which lets you either

type or hand-write notes; (4) Evernote: the holy grail of organizers; it allows you to compile notes, photos, recordings and makes them all searchable and syncs with any device where it is installed; (5) Two Apps to allow use of Microsoft Office files on the iPad [until the day there is an Office App] - (a) Office2 HD: allows the viewing and generation of basic Office files; (b) SlideShark: allows the presentation of PowerPoint files - I find this works better than Office2 HD for these types of files.

If you have an iPad and want to get more out of it, try out these Apps. Most are cheap (some even free). If you have favorite Apps (productivity or otherwise), share them with me - I am always looking for new Apps. I will share more Apps later in the year and will give you credit if yours makes the cut!

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# STAYING *in Touch*

January 2013 Newsletter | VOLUME 2 - ISSUE 1 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## IN THIS ISSUE:

- Five Myths Concerning A Military Divorce
- New Hire - Lia Davis
- Deb Dishes
- Family Time
- Tech Tip



## *Kellam's Corner*



**Where does the time go?** Seems like we were just discussing the upcoming holidays and now it's 2013. January marks the one year anniversary of the firm and it's been quite a year! We have been fortunate to be busy with referrals coming in from past and existing clients, friends, family, and fellow attorneys, to whom we are extremely grateful. A year into the practice has also seen Deb's hard work on digital marketing start to pay off with increased traffic to our website and in turn, inquiries. I am fortunate to have found an excellent paralegal to help with the growing practice - Lia is featured more inside the Newsletter.

How was your 2012? We wish you the very best for the New Year and look forward to hearing from you.

## *Credit Reporting*



Have you ever received a medical bill under your name but it was for a service you did not have? Have you ever received a credit card or credit card bill in your name that you never applied for? Has your tax return been denied as a duplicate by the IRS? If so, you have probably become a victim of identity theft and need to take immediate action.

Learn more at:  
<http://goo.gl/TXJNE>



## *Did you know?*

Walt Disney had a bit of a rough start. He was fired by a newspaper editor because "he lacked imagination and had no good ideas." Disney started a number of businesses that didn't last and ended with bankruptcy and failure. He kept plugging along and eventually found a recipe for success.



*"You can't build a reputation on what you are going to do."*

*- Henry Ford*

## FIVE MYTHS ABOUT MILITARY DIVORCES

1. *Military Spouses will not receive custody*

**False.** While deployment creates unique child care issues, it does not, in itself, prevent the military spouse from being awarded primary physical custody of minor children. In 2008 Virginia enacted the Virginia Military Parents Equal Protection Act which addresses many of the concerns of deploying parents and how to handle temporary custody changes. <http://goo.gl/s89h0>

2. *The Military will make sure support is paid regularly.*

**False.** The military defers to civilian courts for support matters, though each branch has its own administrative rules on how to handle such issues absent a court order (ranging from basically "hands off" to elaborate procedures). The military can discipline a service member for failing to adequately provide for the family. The non-military party must have an order from a court to ensure there is recourse for non-payment of support. With such an order, one can request support be paid through military payroll deductions.

3. *You must be married at least 10 years to a military member to receive part of his or her retirement pension.* **False.** If you are married to a military member, you are entitled to a portion of his or her pension regardless of how long you have been married. The 10 year period is part of the military's "10/10/10" rule for direct payment by DFAS. If you have been married for 10 years, the military spouse has been in service for 10 years, and there is 10 years of overlap, then DFAS will pay you directly your portion of the military spouse's pension (with the appropriate qualifying court order).

4. *The Ex-Military Spouse will always lose health coverage and commissary benefits upon divorce.*

**False.** The answer depends on the length of the marriage. Similar to the 10/10/10 Rule - there is a 20/20/20 Rule for benefits. If you have been married for 20 years, the military spouse has been in service for 20 years, and there is 20 years of overlap, you are entitled to continued full commissary and exchange privileges, TRICARE coverage, and medical care at any military treatment facility. If there is 20 years of service with 15 years overlap, then you are entitled to one year of medical benefits post-divorce. Beyond this one year and for spouses that do not meet the 15 year requirement, you may be entitled to pay for coverage under the Continued Health Care Benefit Program (CHCBP) if certain criteria are met.

5. *Getting a divorce is easier and cheaper in a foreign country and valid in the US.* **True and False.** It is usually cheaper and quicker to obtain; however, there are numerous and significant potential issues with such divorces. If neither party is domiciled in that country, the action would be invalid. The divorce may be shielded from attack on various equity grounds, but you do not want to be in the position of defending your divorce's validity. The old adage still applies - "If it seems too good to be true, it is."

Not only is my office located in Virginia Beach, but I was born and raised in Hampton Roads growing up side by side military families. This, coupled with my law experience with Military Divorce matters, is an advantage in these types of cases.

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## Deb Dishes:



Another successful family holiday bake-a-thon! Each year our Mom would ask us which goody we wanted and then gather all the recipe cards. She would coordinate what recipes cooked at what temps so we could assembly line the process. Everyone had jobs throughout the day. Chopping nuts, grating cheese, making scoops or transferring cookies from oven to rack to storage containers. She also would make cheese blintzes (with homemade strawberry jam & Smithfield country ham) for Christmas breakfast. I happily carry on this Christmas tradition with my kids.

Some family faves: Chocolate Crinkles, Cheese Wafers, Date Nut Candy (my GG grandmother's recipe), Chex Mix, Fudge, No-Nos, Pumpkin Roll (Kellam's fav), Pistachio cookies, sugared nuts and the crafty time spent on decorating Sugar Cookies. And as my son once said we make them all from "scrap". Since we bake so much, we give lots of these edible gifts away, and per my daughter, "save enough for us." We really enjoy all the time together and eating our work over the holidays. Great from scratch meals were also cooked and enjoyed by all!

I have the perfect sugar cookie recipe and a decorating secret (discovered by accident) to make them stay moist. You can find it on our website at <http://goo.gl/XZAAb>.

## Around the office...

### Please join us in welcoming Lia Davis to our team!



Lia started working with us this past summer through Special Counsel, a legal staffing service, and has contributed to the success of our first year.

Lia was born and raised in Virginia Beach. She graduated from Tallwood High School and began studies at Tidewater Community College. While enrolled at TCC full time, Lia also worked a full-time job as a receptionist for a local real estate law firm. Once Lia discovered her interest in the law, she focused her education in that field, obtaining an Associates of Applied Sciences with a concentration in Paralegal Studies in 2008.

While still in school, Lia began working as a legal assistant/paralegal for a prominent Norfolk family law attorney. There she gained an understanding of the local courts, legal procedures, and the day-to-day skills necessary to handle the delicate subject matter of Family Law. She truly believes that her work makes a difference in the community and she enjoys assisting clients through what is undoubtedly one of the more difficult times in their lives.

Learn more about Lia on our website: <http://goo.gl/sTFX7>

## Family Time...



Avery at the Virginia Beach Ballet Academy's Christmas Ballet show - "Snow"



Deb received great pictures of her grandchildren for Christmas. Here are Bryant age 5, Maxwell 2 and Mia who just turned 1.

The cousins love each other and had a wonderful time over the 10 days of togetherness.

Granma wants them all back in her house again.

## Auto Accidents:

A car crash kills someone every 12 minutes with more than 6 million accidents causing about 40,000 deaths per year in the U.S. A common result of an accident is a closed head injury, which ranges from a mild concussion to traumatic brain injury. Other results from accidents include soft tissue injuries, like "whiplash." Because endorphins and the excitement of the accident you may not know right away you are injured. If you are in an accident, please seek medical care - better safe than sorry. For more practical tips, visit our website at: <http://ow.ly/dgjKg>





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## INSIDE THIS ISSUE:

- *Myths Concerning a Military Divorce*
- *New Hire - Lia Davis*
- *Tech Tip - Reviewing Digital Media*

## *Tech Tip:*

In this month's tech tip I am pitching going paperless and suggesting a few practical solutions to achieve this goal.

First, You need to be comfortable with reviewing digital media. Dual monitors are a must in my opinion to allow for enough screen real estate to work with several documents at once. One of my monitors rotates so the documents I am drafting or editing can be easily read (23" is a lot larger than actual paper). I also utilize an iPad for court and mobile reviewing. You also need the right scanner to make it easy to accomplish. Our office uses the Fujitsu ScanSnap S1500, which I've found to be one of, if not the, highest rated desktop scanners available. It scans quickly and comes bundled with a full version of Adobe Acrobat. I have one on each staff's desk.

Being a paperless office is advantageous for numerous reasons. Storage costs are negligible (hard drives and/or cloud storage is cheap). The only paper I use is for court filings and for those counsel and clients for whom technology is not their friend (though I am converting more by the week). In the last year we've gone through only a little over one box of paper. Lastly, every document that is scanned into our system is converted to a word-searchable document (called optical character recognition or "OCR"). This is accomplished as the documents are scanned and allows us to search every document for keywords. This enables immediate location of documents saving time and thus money (as well as being invaluable in court to counter unexpected testimony as I learned in a recent trial). To get started just Google "tips to go paperless." You'll get plenty of starter articles for more information.

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*



# STAYING *in Touch*

November 2012 Newsletter | VOLUME 1 - ISSUE 1 | [www.ktparkslaw.com](http://www.ktparkslaw.com)

## OUR FIRST NEWSLETTER

Welcome to the first issue of a monthly newsletter which is being sent to all of our friends and clients. We'll be providing useful consumer-based information, as well as interesting stories and updates in our primary practice areas - Family/Domestic, Credit Reporting Errors/Disputes and Personal Injury law. Please let us know what you think about our first issue!



## *Kellam's Corner*



I hope everyone enjoyed their Summer and Fall! Anyone who knows me knows I am a cave-dweller by nature, but I admit to partaking of the beach down at the Outer Banks on several occasions with my family (and enjoying that time immensely). When you spend 60+ hours a week working, having a variety of local venues is ideal. No one said heading out on your own would be easy, but this endeavor is proving most satisfying - I am especially enjoying being able to utilize 21st century technology in my practice and have gotten great feedback from my clients regarding these "new" tools.

As always, if you have any questions or information about a legal matter, please contact us.

## *Family Law*



As of July 1, 2012, couples meeting certain criteria seeking a divorce can now finalize their uncontested matter without making a court appearance. Prior to the amended law (Va. Code §20-106), each jurisdiction had its own procedures for finalizing an uncontested divorce, ranging from a mandatory court appearance to merely submitting deposition

transcripts. The new law makes it mandatory for all jurisdictions to allow the finalization of the divorce by affidavit or deposition if certain criteria are met.

For the full article: <http://ow.ly/f4IVi>

## *Did you know?*



**Newspaper weeds away:** Plant your plants in the ground; work the nutrients in your soil. Then wet newspapers, put layers around the plants overlapping as you go, cover with mulch, and forget about weeds. Weeds will get through some gardening plastic; they will not get through wet newspapers.



*"Happiness is not in the mere possession of money; it lies in the joy of achievement, in the thrill of creative effort"*

*– Franklin D. Roosevelt*

## AUTO ACCIDENTS AND CAR CRASHES

Car crashes can happen to anyone, at any time and seldom are we prepared for what we should do next. When you or a loved one is involved in an accident, so many things happen at once. After securing everyone's well-being, you need to take certain actions in a timely manner. You want to handle this correctly so you will receive the best outcome for your loss and injuries. Insurance Companies are going to look out for the best interest of themselves and their driver, not you. On my website I have listed the 10 things you need to do or think about when you are involved in an accident. (<http://ow.ly/dgjKg>) I advise you keep this list with you, either digitally on your smartphone, or print out this list and keep in your glove box, especially if you have teenage drivers in your household. Being prepared for the worst may very well help you get back to the best.

Auto accidents usually have two parts to their resolution: (1) The repair to your auto or payment for the value of it if it is deemed a total loss and (2) The payment for injuries and pain & suffering. While you may find working directly with the insurance company may not be too confusing, be very careful when it comes to talking about the accident, especially if you are injured. What you say in the beginning will impact how you are compensated in the end. There is nothing wrong with telling the other side's insurance

company that you do not wish to speak to them and are considering hiring counsel. In fact, we recommend it. You can unintentionally damage your case by what you say to the insurance company or even at the scene of the accident (for instance, the honest statement at the time "I don't think I'm hurt" – You may be injured and not know it).

It is always advisable to hire an experienced Personal Injury attorney to help you in these cases. Hiring an attorney will stop all contact to you from the insurance company and direct all inquiries to the attorney instead. This can be most helpful when you are injured and do not have the emotional or physical ability to deal with things while you are getting better. And when you are asked to sign papers from the insurance company giving them access to your medical and work records, it would be best to give that kind of authorization to your attorney who is working for you. I am fortunate to have my sister working with me for a variety of reasons, but one of the advantages she brings is her employment history with an insurance company as an auto-insurance adjuster. She knows first-hand how the insurance companies operate and what steps you need to take to protect your rights to get the coverage you deserve.

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## Deb Dishes:

Periodically I will share a favorite recipe or a dish I've enjoyed at a local restaurant. This month is Fish Tacos! I want to share the whereabouts of the best fish tacos I have ever eaten. Soon after the opening of the firm, my brother Kellam treated me to Red Star Tavern located at Town Center in Virginia Beach. He told me the place had the best fish tacos and I was so pleased with how fresh and satisfying the fish tacos were. Mine were minus the avocado and pico (my preference), but I squeezed a little lime juice on the top & boy oh boy! You can really taste the citrus slaw, remoulade, salsa and it's served with black beans & rice. I love the crunch of the slaw with soft taco shell and yummy blackened fish. A must have for anyone who likes to actually taste "fresh" in their food and who likes fish. I had been sorely missing the food at La Cocina del Sol, located in Charlottesville and am happy to have found Red Star's fish tacos. I highly recommend you try Red Star, not only for the fish tacos, but also to enjoy an excellent venue with a good selection of food and beverages.

Red Star Tavern's Facebook Page: <https://www.facebook.com/RedStarTavernVB>

## On the local front...

# Is Virginia Beach Moving On From Sacramento Kings?



### Meet the negotiator for the Beach sports arena.

**Mike McGee's** career spans over 40 years in the sports and entertainment industries and he now leads BARMAC consulting firm out of Houston. BARMAC was hired by the Virginia Beach Development Authority at its Aug. 21 meeting as a consultant to represent the interests of the city and authority in negotiating a fair and market rate management agreement for the operation of the proposed arena, said Scott Hall, business development coordinator for the city's economic development department. He said it will take three years - on the short side - to negotiate a contract, just enough time for Virginia Beach to have an arena built, at a cost of \$350 million.

Details of financing the arena and entertainment venue are scarce. But Warren Harris, director of the city's economic development department, who delivered the presentation to city council, suggested that the development authority could issue bonds paid for by special taxes. The development authority has issued bonds for other projects in the city, such as Town Center, paid for by a special tax district. The authority has also issued bonds for Sentara Healthcare and other nonprofits in the city. City council will have the final say on the bonds for the arena.

**Full article can be found at:**

<http://insidebiz.com/news/meet-negotiator-beach-sports-arena>

*What do you think of the prospect of having a major sports team in the area, specifically at the oceanfront?*

## Family Time...



The Parks family had a great time in the Outerbanks this summer.



Avery also loved trying out costumes for her active Halloween social calendar.

## Credit Reporting:

Today, more than ever before, a good credit report is essential. Unfortunately, discrepancies in reports are highly common, whether caused by error or by identity theft. Taking the proper steps to dispute credit issues is crucial, as the wrong moves can cause more harm than good. We can inform you and assist you in the process and protect your rights should the credit agencies and/or creditors not remove incorrect information as required. Learn more at <http://ow.ly/f48gG>



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## INSIDE THIS ISSUE:

- *What to do after an auto crash*
- *Sports Arena for Va. Beach?*
- *Windows 7 shortcuts*

## Tech Tip:

As a technophile, I'll be regularly providing a tip (or two) that I've found useful. This month's tip concerns Windows Shortcut Keys (for Windows 7 as Windows 8 is not widely used yet). The Windows key  on your keyboard is often overlooked, but provides many very useful shortcuts. I have used for a long time the combo of  + D, which takes you back to the desktop screen; however, a few months ago I stumbled across an article discussing "can't live without" shortcuts. This will sound silly, but the following shortcuts changed my life!

As a paperless office, everyone uses at least two monitors here. As we don't have papers to "spread out" to review, we rely upon multiple windows on every monitor to keep track of things. Manually moving and resizing these gets

very cumbersome very quickly. The shortcuts I discovered are  + [left or right] arrow key. When you press the Windows Logo key and either the right or left arrow key, the active window you are in automatically gets moved in the direction of the arrow you press. This results in an automatically resized window moving to the far left, the dead center, or the far right of the screen. If you have more than one monitor, it will keep moving along the plane of use. This makes comparing two documents a snap and although, again, seems silly, has made my life so much easier. I encourage you to try it out!

**A comprehensive list of Windows 7 shortcuts can be found on the Microsoft site here: <http://windows.microsoft.com/is-IS/windows7/Keyboard-shortcuts>**

*New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@ktparkslaw.com](mailto:dmontagna@ktparkslaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!*