

Medical errors result in woman's paralysis

School custodian gets substantial settlement, financial plan

Some cases don't simply end for an attorney when a verdict is rendered or a settlement reached. Kline & Specter lawyers have helped countless clients with follow-up assistance in managing what for many is sudden wealth. Though the firm does not itself provide this help, it does connect clients who request it with financial advisors and planners who can set up plans to ensure their funds are protected and well-invested.

Consider the case of Darlene Kern, a 62-year old Allentown-area woman who received a multi-million dollar settlement for paralysis she suffered in a car accident followed by a series of dreadful medical errors. Kern's lawsuit settled just before opening arguments were to have been given in her trial. Tom Kline, her attorney, was satisfied with the outcome as was Kern. But as he left the courtroom and walked to his car, he suffered pangs of newfound concern for his client.

Darlene was an older woman with little formal education who had worked as a school custodian before the accident. How could she handle millions of dollars? (The actual amount of the settlement was confidential.) What would prevent some "designing person," as Kline put, from taking advantage of her.

Three days later, with Darlene's permission, he sent his co-counsel in the case, Andy Youman, to Darlene's house along with a financial team to talk to her about setting up a trust and other financial instruments. Arriving in a three-car caravan, lawyers and insurance company people parked out back and trudged past a rusted-out 1964 Chevy Impala that had collapsed in Darlene's back yard, grass creeping up its sides.

They sat in her clean but cluttered kitchen, knickknacks, boxes of food and pots and pans covering the counter. A shopping list _ trash bags, Beefaroni, Depends _ rested next to a pill dispenser holding daily doses of 20 pills or more in more colors than a rainbow – orange, yellow, pink, purple, beige, white, gray. One large, clear canister held used syringes, another was home to a snapping turtle.

Darlene, seated in her wheelchair, was expressionless as the financial folks spoke with her. The woman who had earned \$13,000 a year as a school custodian was confused. But she trusted the

experts. She told them just wanted to keep enough initially to buy a new house and do some renovations.

“What would you like to be able to do?” asked one of the advisers.

“Well, I’d like to do dishes,” she said, then added as if embarrassed to sound greedy, “ ... and bake.”

The counselors arranged it so that Darlene would be able to both, with enough money in safe keeping – protected against overly risky investments as well as any unusual or unauthorized withdrawals – to last her the rest of her life.