

# SCAA

January 2005

Vol. 32 No. 5

## Seattle Claims Adjusters Association

*"A professional organization dedicated to the ongoing education of the claims community.  
Providing an arena for member interaction and the sharing of resources."*

### President's Corner

— by C. Annette Grace, President



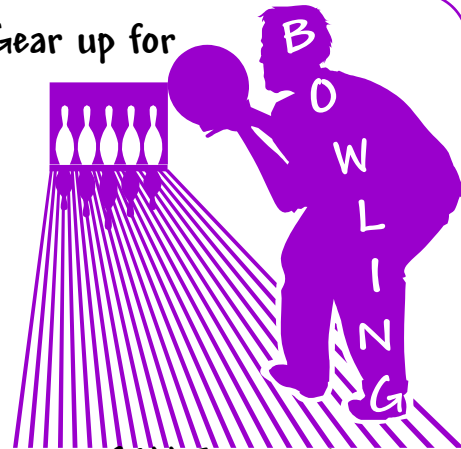
Happy New Year!

The Holiday season is officially over. This time of year is always wonderful. We anticipate it for months, we indulge ourselves, family and friends with the "spirit of giving" (and the spirit of eating). The chaos and intensity rises until the New Year steps around the corner and we can all breath a collective sigh of relief.

Over the last month, I have been inundated with all the options for charity and volunteer opportunities. The headlines boast food collection sites (SCAA donated \$500 to NW Harvest). News casts are merrier to watch with stories of giving, sacrifice and needy families having wishes come true.

I have often wondered why it is that this is the  
*(See President's Corner... continued on page 4)*

Gear up for



2 SCAA Tournaments

scheduled for

February 18 & April 15

Sunset Bowl in Ballard

\$20 per person

See our website for February sign up

### Next Meeting of the SCAA

**January 21, 2005**

The Swedish Club, 1920 Dexter Ave North, Seattle, WA

### Program

**Recent Law Regarding Premises Liability  
with Mary Schug**

### Menu

**Fajitas**

### Cost

**\$10 Members \$18 Non-Members**

### Time

**11:30 a.m.**

*If you have special dietary needs, please give a 48-hour notice by calling the Swedish Club at (206) 282-5903.*

### In This Issue...

On the Docket.....	2
Case Study .....	3
SCAA/TCAA Spring Seminar Agenda .....	3
Prestige Restoration Name Change.....	5
Advertiser of the Month.....	5



# ON THE DOCKET

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*ServiceMaster of Seattle* Office: 425/637-9770

**Jesse Williams** ..... Golf Tournament Chair  
*Classic Claims Service* Office: 425/379-0485

**Bob Jeans** ..... Tennis Tournament Chair  
*JMW Settlements Inc.* Office: 425/396-4344

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Date	Speaker/Topic	Menu
Jan 21	"Recent Law Regarding Premises Liability Claims" with Mary Schug of Lane, Powell, Spears & Lubersky	Fajitas
Feb 18	SCAA Meeting Check our website for updates	TBA
Feb 18	1st of 2 Bowling Tournaments Directly following our monthly meeting at Sunset Bowl in Ballard See registration form in this issue	—

### Meeting Information

Please keep in mind that we'd like to start and end promptly during our monthly meetings. Here is the timeline for each meeting:

- 11:30 a.m. Registration
- 11:45 a.m. Buffet
- 12:00 p.m. Meeting Called to Order
- 1:00 p.m. End of Meeting

Please arrive on time and have your cash or check (payable to SCAA) ready. We appreciate your cooperation and assistance.



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## Case Study

### Loss of Consortium Damages Can Absentee Parents Recover for Injuries to their Minor Children?

— by Jennifer Krumm

Imagine: Billy Bob has six children with six different mothers. He does not pay child support to any of the mothers and has never tried to be a part of his children's lives. However, when Billy Bob discovers that his 7-year-old daughter has been involved in a car accident, he can smell money. He decides to become active in her life so that he can recover loss of consortium damages related to her injuries. Can he do that?

Not according to Division III of the Washington Court of Appeals.

For example, in *Blumenshein v. Voelker*, 100 P.3d 344 (Ct. App. Div. III 11/9/04), five-year-old Felicia Felch was struck by a car while riding her bicycle. At the time of the accident, Felicia was living with their father, while her mother, Christina Blumenshein, was living in a homeless shelter. Due to a history of drug addiction, instability, and incarceration, Ms. Blumenshein had not had contact with Felicia for a long time prior to the accident and had not paid child support. Although Ms. Blumenshein did have brief contact with Felicia while Felicia was in the hospital recovering from the accident, Ms. Blumenshein again disappeared from her life soon thereafter.

Felicia was eventually placed in foster care. A year and a half later, Ms. Blumenshein contacted the Department of Social and Health Services regarding visitation with Felicia. Ten months later (a little over 2 years after the accident), Felicia was placed in Ms. Blumenshein's custody.

Ms. Blumenshein then filed a lawsuit against the driver of the vehicle that hit Felicia. Among other things, Ms. Blumeshein sought damages for her loss of consortium with Felicia and emotional distress. In response to the lawsuit, the defendant-driver argued that Ms. Blumenshein did not have a claim because she had not been supporting Felicia at the time of the accident.

(See Case Study... continued on page 4)

## Blue Bucket Drawing



December's winner was **Michael Radcliff** who was present at our Holiday Party to collect his winnings of **\$250!**

Must be present to win the next drawing on January 21!

## Classified

The Washington Counties Risk Pool (a public sector self insured liability pool) located in Olympia (Tumwater) is seeking a qualified Claims Analyst to join a staff of dedicated professionals. The position requires three (3) years claims handling experience, AIC certification desirable. A copy of the job description, including salary range, and employment application are available on the web @ [www.wacounties.org/wcrp](http://www.wacounties.org/wcrp). Submit a completed employment application, cover letter, and statement of qualifications to WCRP by February 15, 2005.

## SCAA/TCAA Spring Seminar is Just Around the Corner — Plan Now to Attend!

If you haven't already, mark your calendar for **March 11, 2005** and plan to attend our Spring Seminar. This event is hosted annually by SCAA and TCAA and provides adjusters with continuing education and networking opportunities. You do not need to be a member of either association to attend.

Held at the DoubleTree Hotel, Seattle Airport, there will also be a Vendor Fair throughout the day; local vendors that support both of our associations will be on hand to discuss and demonstrate their products and services.

Educational opportunities during this event include:

Property Sessions on **Metallurgical Failures** with John Biskey, P.E. of Biskey's Forensic Engineering, Inc.; and **Intentional Torts & Premises Liability** with John E. Zehnder, Jr. and Anthony R. Scisciani III of Scheer & Zehnder, LLP.

Casualty Sessions on **HIPAA Law** with Starla Jean Goff of Smith Freed & Eberhard, P.C.; and **New WA State WAC's & Case Laws** with attorney Timothy A. Reid.

(See Spring Seminar Agenda... continued on page 4)

## President's Corner...

*(Continued from front page)*

time of year when we give more and do more for others. Our schedules are busy and our finances thin. Yet, this is the time to squeeze in a little extra help for others and to give a little more time to the community.

Perhaps its the guilt of carrying bags of goodies out of a store that makes me throw a few coins into a collection can. Maybe its wondering how I will fit everything into my fridge for the holiday feast that makes me want to help the food bank. Maybe its just that "the spirit of giving" is not within me as much as it is within the season.

And so, the New Year has come. I don't have a resolution to try to keep, I have a commitment to make. The "spirit of giving" has been built into November and December. It took time for this to become a habit and focus. I want to commit to making the giving of time and resources a year-round habit.

Next year, when I begin to anticipate the Holiday Season, it won't be bogged down with guilt and "squeezing charity in". My hope is that it will be just another joyful outlet for an established habit. ❖

## Spring Seminar Agenda...

*(Continued from page 3)*

Also, something new for 2005, two Property and Casualty Panels will round out the afternoon session.

Completing the days educational agenda is a combined session on the topic of "**The Missed Professional — Top 10 List**" with S. Saliman Gray, AIC, CPIW, CPCU of Mutual of Enumclaw.

Our Associations work diligently each year to insure that this educational agenda meets the needs of today's adjusters. Please let them know how much you appreciate their efforts on your behalf by registering to attend. **Registration brochures will be arriving in your mailbox soon** and will also be available on our website at [www.seattleadjuster.org](http://www.seattleadjuster.org). When it arrives, make copies and distribute them among your coworkers — but don't forget to fill one out yourself and mail it as soon as you can!

For more information, please contact SCAA Vice President and Seminar Chair, Lizzy Adkins, at Grange Insurance, 206/448-4911 x2373 or send email to [ladkins@grange.com](mailto:ladkins@grange.com). ❖

### With Sympathy...

**George "Bill" Lee**, 81, former Casualty Claims Manager at Great American Insurance, passed away on December 20, 2004. Bill was a great friend to many and a strong supporter of SCAA. He is survived by his wife Gretchen, three sons and four grandchildren.



Memorial donations suggested to the Kingston Food Bank, 26096 West 1st Street NE, Kingston, WA 98346.

### Case Study... *(Continued from page 3)*

Division III of the Washington Court of Appeals agreed that Ms. Blumenshein did not have a claim. It said that, because Ms. Blumenhein had not been involved in Felicia's life *at the time of the accident*, she did not have a right to recover. ❖

— If you want to be notified of new cases, please send an email to [caseupdate@smithfreed.com](mailto:caseupdate@smithfreed.com) or visit our website at [www.smithfreed.com](http://www.smithfreed.com).

— This article is intended to inform our clients and others about legal matters of current interest. It is not intended as legal advice. Readers should not act upon the information contained in this article without seeking professional counsel.

## Adjustments

If you have any questions and/or any "Adjustments" please contact **Jay Jared**, *Cunningham Lindsey* at  
Phone: 425/672-0160 Fax: 425/672-0106  
Email: [mjared@na.cunninghamlindsey.com](mailto:mjared@na.cunninghamlindsey.com)



"What has two legs and can be seen running fast every third Friday of the month? An adjuster on their way to an SCAA meeting!"  
**January 21 — Be there!**

Press Release**Prestige Restoration Dry Cleaners has changed its name**

We are very pleased to announce that Prestige Restoration Dry Cleaners has now become ***CRDN of Seattle and Western Washington.***

As you already know, Prestige (a division of LeatherCare, Inc.) is a part of the Certified Restoration Drycleaning Network (CRDN), an international organization of expert professional restoration drycleaners. Following the annual CRDN Convention in Miami this past September, we made the strategic decision to expand and enhance CRDN's national brand awareness across the United States. As a result, each CRDN member soon will be recognized as part of CRDN by name—as well as in consistency of processes and procedures—to reflect brand unity.

We want to assure that our change of name will not affect the service we provide, the care we offer our clients or our commitment to you. In reality, the name change reflects a renewed commitment in our services and procedures over how we have served you in the past; a reflection of the support, training and systems for claim handling that CRDN provides its members.

We will continue to offer responsive service 24 hour a day, 7 day a week, with the same guarantee that if a garment doesn't clean, it's off the bill.

Our phone numbers and contact information will remain the same. You can contact us directly with any claims assignments at 888-309-5347, or contact our national call center at 1-888-DryClean to submit a claim assignment.

Please feel free to give us a call or stop by to see us anytime. We look forward to seeing you and continuing to meet your needs and exceed your expectations. ❖

**Advertiser of the Month****Corstone Contractors LLC****360/862-8316****425/212-2230**