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You Have the Right to ... What Now?

Understanding and Using Your Miranda Rights

If you watch a lot of procedural dramas on television, you can probably recite your Miranda rights by heart:

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be provided for you.



But why are these words so ubiquitous? What do they mean in the real world? And do you really need to worry about your rights if you haven't committed a crime?

Miranda rights originated in 1966 through the Supreme Court case *Miranda v. Arizona*. Police arrested Ernesto Miranda on kidnapping charges, and after two hours of questioning, he eventually confessed to the crime. His attorneys argued that Miranda did not understand his rights at the time of the confession, so the courts should disregard it as evidence of his guilt. The Supreme Court agreed, saying that one cannot sign away their rights without first understanding them.

The right to remain silent originates from the Fifth Amendment right to not self-incriminate. In this context, "staying silent" means not answering questions from the police. Though experts recommend silence from the beginning, a person can invoke their rights partway through an interrogation. The right to an attorney means you do not have to go through questioning,

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CHERISHING OUR KIDS

PREPARING AND PROTECTING OUR CHILDREN EVERY STEP OF THE WAY

Our children empower us. They teach us new things about ourselves and the surrounding world every day. Raising my children has been the greatest blessing in my life.

March 21 is National Teenager Day and March 17 is Incredible Kid Day. While we think about our children each day, the two holidays are intended to remind us to reflect on special memories with our children and how we can continue to raise, love, and protect them. In honor of these special days, I would like to share some reflections I have had about my children recently.

My children are all teenagers now, but I have precious memories of when they were little. I have fond memories of when my two sons were young and our monthly outings to the Southern California Live Steamers, a miniature railroad ride at Wilson Park. The first Sunday of every month was a standing appointment to visit the park for free train rides. While my children have outgrown riding the train, the railroad has come full circle — both of my boys, who are in the final stages of earning their Eagle Scout awards, chose projects to benefit the Southern California Live Steamers as their Eagle Scout projects.

When I think back to my daughter at a young age, I remember what an easygoing child she was. I had to fight tooth and nail to get the boys to take a nap, but all I had to do was tell her it was nap time, and she would mosey over to her crib and lift her arms up, ready to be put in. As a teenager, she continues to amaze me. She recently taught herself how to sew (with a little help from mom and a lot of help from online video tutorials) and, in under one month, has made herself a beautiful dress!

Now, my sons are 18 years old and applying to colleges, which will mark their passage from teenager to young adult, with all the benefits and responsibilities that come with it. My daughter is not far behind.



“One tremendous change that will happen on the day one of my children turn 18 is that I, as a parent, will no longer be legally able to make medical decisions for them if they were in an accident or otherwise incapacitated.”

One tremendous change that will happen on the day one of my children turn 18 is that I, as a parent, will no longer be legally able to make medical decisions for them if they were in an accident or otherwise incapacitated. That is why our firm offers a Young Adult Estate Plan, with powers of attorney and related documents. You can bet my children will be completing their own Young Adult Estate Plans on their birthday!

When a young adult engages us for a Young Adult Estate Plan (which is typically initiated by their parents!), we walk the young adult through the process and assist them in appointing someone to make health care and financial decisions in the event of their incapacity.

We are here to help our youth prepare for their future. Do you know a young adult (age 18–26) who may not have powers of attorney in place? If so, please send them to our website for more information.

- Angela Klenk



Spring Fever

Enjoy Warm Weather While Stuck Indoors

The weather is warming up, the sun is out — and you're trapped inside. Most of us have jobs that leave us stuck indoors during spring's prime midday hours, and it's easy to feel like you're missing out on the season's best parts.

Unfortunately, your boss probably won't give you the day off just because of the gorgeous weather. So, we've compiled the next best thing — some tips to enjoy the season as much as you can while also getting your job done.

Bring the outdoors in. When the weather is nice, open as many curtains and blinds as possible. The natural light will warm up the room and brighten your mood. While you're at it, try opening the windows and positioning yourself near one. If you can't be outside, the spring breeze on your face is the next best thing. Plants decrease stress, and having them on your desk might also trick your brain into feeling less cooped up.

Take a break. You've still got to work, but that doesn't mean you can't sneak in a few minutes outdoors. Use your break for an outdoor stroll; if possible, you can also walk or bike to work. At the very least, park farther away to give yourself time to enjoy the weather. Volunteer to do a coffee run, pick up lunch, or take out the mail — you'll be an office hero while catching some rays at the same time.

Try working outside. If your boss will allow it, there's probably some opportunity to do a bit of work outdoors. Meetings and conference calls might offer your best option. For in-person meetings, your coworkers will also likely relish a chance to take it outdoors. In the event of a conference call, you won't need to convince anyone else — grab your laptop and go! It's not the same as enjoying the weather while you're off the clock, but it's a lot better than being cooped up inside.

With any luck, these tips will help you make it to Friday with your sanity intact. And luckily, the weekend is always just around the corner.



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hearings, or a trial without representation — and if you cannot afford to hire an attorney, the court will provide you with a public defender.

Ironically, to invoke your right to remain silent, you have to talk — simply not speaking isn't considered sufficient. A person needs to say as clearly as possible that they are invoking their rights and want an attorney.

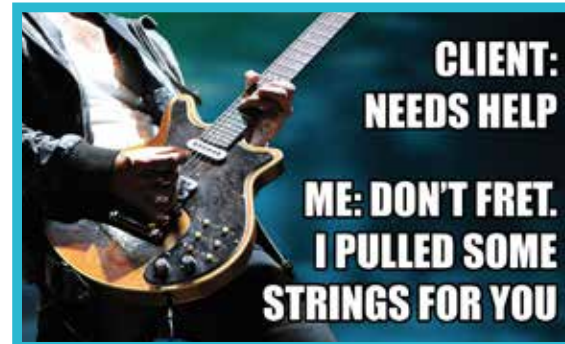
Many people waive their rights because they know they're not guilty — or they think that speaking with the police will make them *look* innocent. Criminal defense attorneys strongly advise against this. Body language, off-handed statements, or inconsistent recounting of events can be used as evidence of guilt. And sadly, many innocent people have been sentenced to time in prison.



Though film and TV scripts tend to use uniform wording, there's no required Miranda rights phrasing. Police only need to state the rights and ensure the suspect understands them. It's also notable that police only have to read Miranda rights when they arrest a suspect — and they can question someone without detaining them. Courts consider anything the suspect says when not under arrest to be of their own free will.

If you're ever arrested or questioned in connection with a crime, the best way to protect your rights is to invoke them right away. Hire an experienced criminal defense attorney or ask the court to appoint one for you. The lawyer will review your case, help you understand the charges, and provide expert guidance on your next steps. Don't feel bad about doing so — these rights are enshrined in the Constitution. They're just that important.

TAKE A BREAK



EASY MARCH MADNESS CHILI

Cheer on your favorite team and chow down in minutes with this easy chili recipe!

Ingredients

- 2 lbs ground beef
- 2 16-oz cans diced tomatoes
- 2 tbsp chili powder
- 2 16-oz cans small red beans
- 1 tbsp Creole seasoning
- 2 8-oz cans tomato sauce
- 1 tsp ground cumin

Directions

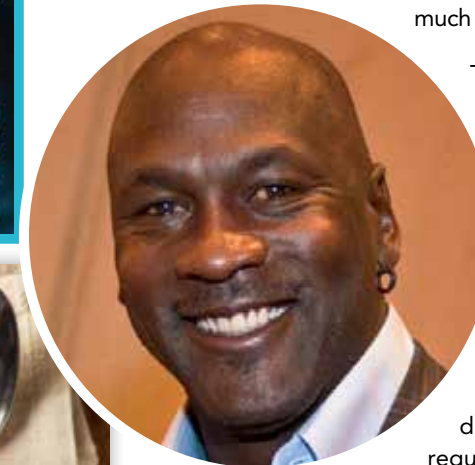
1. In a deep pot, brown beef, stirring often.
2. Once beef is cooked, add chili powder, Creole seasoning, and cumin, cooking for 1 minute.
3. Stir in diced tomatoes, beans, and tomato sauce and bring the mixture to a boil.
4. After the mixture boils, reduce the heat to low and let chili simmer for 15 minutes.
5. Serve with toppings of choice, like cheese, sour cream, or chives.

Inspired by DiabetesStrong.com

I DON'T WANT TO BE LIKE MIKE

Why One Man Sued Michael Jordan for \$832 Million

Many people have been told they have a passing resemblance to a celebrity, and they usually have a funny story or two. To Allen Ray Heckard, his celebrity look-alike was no laughing matter. In 2006, he sued Michael Jordan for looking too much like him and ruining his life.



The amount of the lawsuit was \$832 million, and Heckard not only sued Jordan but also Nike, reasoning that the company helped Jordan achieve his incredible fame. The complaint argued that the resemblance to Jordan "has troubled Heckard's nerves" and being stopped by fans caused him emotional distress for over 15 years. He requested damages for defamation, permanent injury, and pain and suffering.

For someone tired of being "recognized," Heckard didn't shy away from media coverage. When asked how he arrived at the astronomical \$832 million lawsuit figure, he gave this much-shared (yet difficult to parse) answer: "Well, you figure with my age, and you multiply that by seven and, ah, then I turn around and, ah, I figure that's what it all boils down to." When asked why he felt the resemblance to Jordan had affected his life so negatively, he could only answer, "I want to be recognized as me, just like Michael's recognized as Michael."

Funnily enough, most people didn't think Heckard and Jordan looked alike at all. While each had a bald head, mustache, and a gold earring, the similarities seemed to end there. Many news stories noted that, compared to Jordan, Heckard is eight years older and 6 inches shorter.

One question reporters did not appear to ask was why Heckard felt that Jordan should be held personally liable for hundreds of millions of dollars simply for his natural appearance. Sadly, we will probably never know the answer because the case ended rather unceremoniously. After a few weeks, Heckard dropped the lawsuit. He never publicly shared why, but a Nike spokesperson was glad to speculate that Heckard "finally realized he would end up paying our court costs if the lawsuit went to trial."

In the end, many '90s kids would argue that Heckard was most guilty of looking a gift horse in the mouth. After all, there is no higher achievement than to "be like Mike."