



BYRD & BYRD LLC
ATTORNEYS AT LAW



November 2016 Newsletter

Welcome to the latest edition of the Byrd & Byrd email newsletter. We hope that you enjoy this newsletter and find helpful information along the way. Happy Reading. If you want more information about Byrd & Byrd, please visit our website by clicking the link below:

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A Story of Thanksgiving and Politics

by Jackie Byrd

Knowing the Thanksgiving holiday was coming soon, I have been asking people to tell me for what they are most thankful. It surprised me how many said "I am thankful that the 2016 presidential election is over."

Wow. It was that rough. Thinking of that recalled a story about politics and Thanksgiving that caused me to giggle. It's nice to remember that what we have just experienced is not the only political fight that's been fought in this democratic country. Rancor can even occur over Thanksgiving.

It seems Abraham Lincoln's successors as president followed his example of annually declaring the final Thursday in November to be Thanksgiving.

In 1939, President Franklin D. Roosevelt broke with this tradition. November had five Thursdays that year (instead of the more common four). Roosevelt declared the fourth Thursday as Thanksgiving rather than the fifth one. With the country still in the midst of the Great Depression, Roosevelt thought an earlier Thanksgiving would give merchants a longer period to sell goods before Christmas. At the time, advertising goods for Christmas before Thanksgiving was



considered inappropriate.

Fred Lazarus, Jr., founder of Federated Department Stores (later Macy's), is credited with convincing Roosevelt to push Thanksgiving to a week earlier to expand the shopping season. Well, Republicans (per Wikipedia) fought the change, calling it an affront to the memory of Lincoln. People began referring to November 30 as the "Republican Thanksgiving" and November 23 as the "Democratic Thanksgiving".

Since a presidential declaration of Thanksgiving Day was not legally binding, Roosevelt's change was widely disregarded. Twenty-three (23) states went along with Roosevelt's recommendation, and twenty-two (22) did not. Some, like Texas, could not decide and took both days as government holidays!

In December of 1941, President Roosevelt signed a bill sent over from both houses of Congress requiring that Thanksgiving be observed annually on the fourth Thursday of November, which was usually the last Thursday, and occasionally the next to last. This made the matter of the Thanksgiving date a matter of federal law.

For several years, some states continued to observe the last Thursday date in years with five November Thursdays. Texas did this as late as 1956.

There you go. Opinions of the states were divided almost half and half - twenty-three with Roosevelt and twenty-two against his recommendation.

America's independent voters and citizens can be contrary as everyone tries to "right" the Ship of State. That is a phenomenon that is not new this year! My advice is to laugh and to be thankful for our wonderful country.

Have a wonderful time Thursday, and remember what Erma Bombeck said, "Thanksgiving dinners take eighteen hours to prepare. They are consumed in twelve minutes. Half-times take twelve minutes. This is not coincidence."

Jessica's Article in "Outlook by the Bay"

"A Legal Navigation Guide for Special Needs Planning" - check out what Jessica has to say in her latest article that was published in the [Holiday 2016 edition of Outlook by the Bay](#). Her article is found on page 10 of the magazine.



A Caution: Underage Drinking, Adult Responsibility, Thanksgiving and Other Good Times

by Timothy Leahy

Thanksgiving is a time when family and friends get together to say thanks for all the good things in our lives. Parties are good things in our lives. Someone may drink too much. If alcohol is served, we have to be aware of when we ourselves may have drunk too much and should not drive an automobile. Nobody wants a good time to turn into a tragedy.

People are used to thinking about their own level of drinking in part because the consequences of an alcohol related accident can result in criminal charges and injuries to themselves or others involved in the accident. However, people may not think how they might be responsible for somebody else's drinking and accidents. Maryland has long resisted dram shop laws making bars and restaurants responsible for drunk patrons who cause injury after drinking at that bar or restaurant. However, Maryland Courts have recently extended liability to adults who allow minors to drink on their property.



You may have heard of people who allow minors to drink at their home, perhaps on the theory that

'they are going to drink somewhere at least they are safe at my home.' Anyone who rationalizes underage drinking in that way may find themselves criminally and civilly liable for the damages caused by underage people who drank at their home. Maryland Criminal Law § 10-117(b) states that an adult may not knowingly and willfully allow an individual under the age of 21 to possess or consume an alcoholic beverage at their residence unless under subsection (c) the person under 21 is a member of that adult's immediate family.

Public policy underlying this potential criminal and civil liability is that underage persons are not solely responsible for drinking alcohol on an adult's property because they are not competent to handle the effects, or fully understand the effects, of alcohol.

To make sure we enjoy Thanksgiving, or any other good time, remember to give thanks for those who encourage all of us to protect ourselves and our children. Don't forget to encourage everyone to be safe and responsible.

A New Attorney at Byrd & Byrd, LLC



Byrd and Byrd is proud to announce that 3-year paralegal, Val Anias, passed last summer's Bar Exam and will be sworn in to the Maryland Bar in December!

Val is ready to assist new clients and help them out, so contact her through e-mail, vancias@byrdandbyrd.com or at 301-464-7448

Janet Arnott - Recipient of the 2016 Exceptional Service Award



Janet Arnott, a valued member of the Byrd and Byrd family, recently received the 2016 Exceptional Service Award from the Military Spouse JD Network (MSJDN)! MSJDN was formed in 2011 to advocate for licensing accommodations for military spouses as well as a venue for military spouses to network with other military spouses with JDs. There are now more than 1,000 members

Janet's award cited the following reasons for the honor: "Your volunteerism, your willingness to share your knowledge and experiences and advocacy on behalf of veterans and military families is celebrated with this award!"

If you need help with a VA matter, contact Jessica Estes or Janet Arnott at 301-464-7448.

GBCC Mixing It Up at Byrd & Byrd

It's difficult to get people to stop chatting and pose for a picture during any Chamber of Commerce mixer. Never the less, Perry Price of Photos by Perry, cajoled these people to pose for him during the recent Byrd & Byrd Mixer: From left to right are Joe Hines, a new Chamber Member whose company is



On-Line Payroll, Mary Holt, indispensable social secretary, scheduler and legal assistant at Byrd & Byrd, Bowie's popular Mayor Fred Robinson, Abba Polangin of AIP Architects, and Jackie Byrd.



Michael Esteve, District 1 City Councilmember, enjoys talking with Byrd & Byrd attorney Timothy Leahy and soon to be sworn in as an attorney, legal assistant Val Anias during the Chamber of Commerce Mixer at Byrd and Byrd offices recently. A good time was had by all!

Let Your Voice Be Heard



If you or your family has been helped by Byrd & Byrd, would you please consider taking a minute to write a review on Facebook? To do so, please follow this link:

<https://www.facebook.com/Byrd-Byrd-LLC-116550268365145/reviews/>

We appreciate what our clients have to say and we want others to know about the quality of service you will receive when working with Byrd & Byrd. Thank you!



Medicaid Mondays

On the second Monday of every month, Jessica Estes hosts a "Medicaid Monday" where she presents information to help you better understand the basic guidelines, requirements and process of Medicaid. This is a FREE informal seminar where you will be able to ask any questions you may have regarding Medicaid. Light refreshments will be provided at each event so we ask that you please RSVP as space is limited. The next Medicaid Monday is not yet scheduled. Stay tuned for the upcoming seminars in 2017.

YouTube Video of the Month

We wish you all the best when it comes to cooking the perfect turkey and presenting your guests with the most stunningly delicious pumpkin pie. This month's video is proof that even if you do it all right, there will be some who like it and some who don't.



Testimonial of the Month

"Your hard work, commitment and dedication to your business achievement have brought great pride to not only your company but to Prince George's County as well. In earning [the Bowie Reader's Choice Award], you have been recognized that your business is capable of great enterprise and community accomplishments."

- County Councilman, Hon. Todd Turner (4th District)

STAY CONNECTED:



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