

**SPECIAL
EDITION**

THE ADVOCATE

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& ASSOCIATES, L.P.

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SPECIALIZING IN:

- Medical malpractice
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- Personal injury
- Wrongful death
- Nursing home litigation

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When to obtain legal counsel to defend your rights

Drivers who are victims of others' negligence and drivers who make judgment errors need aggressive and experienced legal representation.

Look inside for additional information on:

- Driver rights.
- Auto accident fraud.
- Traffic citations.
- Driving under the influence of alcohol, illicit drugs, or strong medications.

Auto accidents and injuries

Victims

In a devastating instant, a driver and passengers can become victims of another driver's negligence in an auto accident.

Seriously injured victims suffer large and worrisome medical bills. Since many cannot work, they have difficulty supporting their families while recovering.

Restitution

Victims should be entitled to recover restitution for property damage and loss, lost wages, medical costs, pain and suffering, and mental anguish.

Attorneys

A qualified vehicle accident attorney can protect victims' rights and help recover fair and complete compensation for physical injuries and damages. Accident attorneys, who know how a crushing impact can harm a human body, recommend a physician's examination since unseen or overlooked injuries can later turn into major health challenges.

Insurance

Insurers want to minimize payouts to accident victims. An experienced accident lawyer, who is well aware of insurance company tactics, can negotiate an optimum settlement outcome. Attorneys usually advise victims to discuss their situations before signing documents or accepting offers.



The "Golden Hour"

Drivers have a "Golden Hour" after an automobile accident to protect their rights. After an hour, cars may be moved, the driver may not recall important details, and witnesses may depart.

- If there are injuries, get medical help right away.
- Call an attorney as soon as you can.
- Admit no wrongdoing. Sign no documents.
- Get witnesses' names and addresses.
- Obtain an accident report.
- Notify your insurer.

Dedicated. Respected. Results-driven.

When should a driver obtain legal

➤ Driver rights

Drivers have important rights that can protect them if they are injured or their property is damaged by others' negligence. These include the right to...

- Exercise personal legal rights to...
 - obtain immediate medical attention.
 - demur, oppose, or decline blood, breath, urine, or agility testing.
 - refuse to answer questions.
 - turn down a request to search a vehicle.
 - collect evidence at accident scenes.
- Legal representation by an attorney.
- Investigate and determine the true causes of accidents.
- File a lawsuit in court to hold negligent drivers and others responsible for paying for property damage, physical pain and suffering, mental pain and suffering, medical and rehabilitative expenses, past and future lost income, permanent impairment, or permanent disfigurement.



➤ Police stops

If a police officer pulls you over

For your own safety, be courteous and compliant in dealing with police.

- Pull over to the shoulder immediately.
 - Remain in the vehicle until asked to do otherwise.
 - Turn on interior lights at night.
 - Keep hands in sight.
 - Tell the officer if you are armed.
 - Ask permission to reach for driver's papers.
 - Turn over documentation.
 - Wait for an explanation about why you were pulled over.
 - Ask questions but don't argue.
 - Promptly exit the vehicle when asked.
 - Never touch, threaten, or behave defiantly towards a police officer.
 - Keep a respectful distance from the officer at all times.
 - Politely refuse permission for the officer to search your vehicle.
 - Accept a traffic ticket. **You and an attorney can contest it in court.**
- If at any time an officer is rude or otherwise makes you feel unusually uncomfortable, note his or her name and badge number. Mention it when you contest the summons.

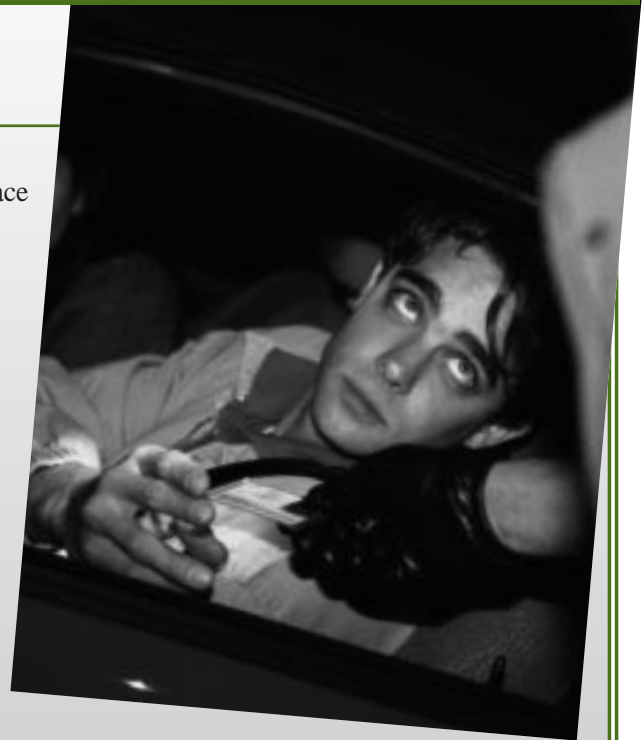


counsel to protect his or her rights?

➤ Traffic citations

Police stop drivers for suspicion of speeding, running traffic signals or signs, or violating other traffic regulations. Anyone pulled over who may face a significant potential traffic infraction should take the following steps:

- Comply with requests to show driver's license, registration, and proof of insurance.
- Answer questions directly and clearly.
- Do not admit guilt.
- Do not volunteer information.
- No matter how upset you are, avoid arguing or protesting.
- Officers may lawfully check your vehicle exterior for code violations.
- Sign the citation. You're not admitting guilt, only accepting the charge.
- **Immediately contact a traffic-law attorney** to argue your case in court, where you are presumed innocent. An attorney may successfully contest a ticket, obtain a reduced judgment, or keep the incident off your driver's record.



➤ Driving under the influence

Driving under the influence of alcohol, illicit drugs, or strong medications is wrong. No one should ever do it.

Those convicted of impaired driving may go to jail, face severe financial challenges, have difficulty obtaining rehabilitative treatment or purchasing auto insurance, or may become community pariahs.

Impaired-driving arrests are not always impartial or evenhanded. For instance, officers may apply due process unfairly. Police may not be able to justify their evaluation and arrest as proper and legal. Breath or blood testing may be inaccurate.

What can a driver do to minimize the potential of an impaired-driving arrest?

- Never drive when impaired by alcohol, illicit drugs, or strong medications.
- Designate someone who will avoid all alcohol consumption and drive others to and from parties and places of entertainment.
- Select no- or low-alcohol beverages for consumption.

What should a driver do if stopped or questioned by law-enforcement authorities for impaired driving?

Remember that almost all states impose penalties for refusing to take blood, breath, urine, or other tests.

- Never try to run or escape from police.
- Avoid making any statements to law-enforcement officials.
- **Obtain the counsel of an attorney as soon as you can after being stopped or detained.**

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Automobile “black boxes”

Most newer cars, heavily dependent on onboard mini-computer systems, have “black boxes” beneath the front seats. An owner’s manual will confirm that one is present.

Manufacturers install black-box event-data recorders (EDRs) to improve design, performance, and driver and passenger safety. EDRs can record data on speed, braking, direction, seat-belt use, air-bag deployment, antilock brake applications, cruise-control use, and other information. Car performance data are recorded and erased in 5–10-second loops, and stored if an accident occurs.

Although EDR data are usually proprietary to the auto manufacturer, motorists should be aware that information obtained from onboard mini-computers can be used as evidence in auto accident cases. Law-enforcement authorities and insurance investigators can download EDR data to verify or contradict driver courtroom testimony.

Data demonstrate liability

In a recent case, black-box data showed that a pickup truck traveling 75 mph in a 35-mph zone caused a collision that severely injured a driver who was unable to avoid the speeding vehicle.

Please contact our office for more information on EDRs.



Auto insurance

Are you fully covered?

Even responsible drivers who believe they have good auto insurance protection may come to learn that their coverages don’t fully protect them in an accident.

Uninsured motorist coverage protects you when another driver who is at fault in an automobile collision has no insurance at all. It covers lost wages, medical costs, and other expenses associated with injuries.

Underinsured motorist coverage safeguards you if you are injured by a careless driver who has only minimal insurance. Since uninsured motorist coverage doesn’t apply, the other driver’s minimal liability policy may not cover all of your injuries. Your own policy may not cover injuries, either.

Protect yourself and your family

Obtain sufficient auto coverage for all family drivers. Your auto insurance agent can outline the extent to which your uninsured and underinsured motorist coverages will safeguard your family. If they are inadequate, increase this relatively inexpensive protection.