



WRONG TURNS THAT WILL

WRECK

YOUR UTAH CAR ACCIDENT CASE

AND HOW TO PREVENT THEM

WILLIAM ENOCH ANDREWS

INJURY LAWYER



WRONG TURNS THAT WILL
WRECK
YOUR UTAH CAR ACCIDENT CASE
AND HOW TO PREVENT THEM



William Enoch Andrews
I N J U R Y L A W Y E R

WORD ASSOCIATION PUBLISHERS
www.wordassociation.com
1.800.827.7903

Copyright © 2016 by William Enoch Andrews

All rights reserved. No part of this book/manuscript may be reproduced in any form or by any electronic or mechanical means, including information or storage and retrieval systems, without permission in writing from the author.

Printed in the United States of America.

ISBN: 978-1-63385-148-1

Designed and published by

Word Association Publishers
205 Fifth Avenue
Tarentum, Pennsylvania 15084

www.wordassociation.com

1.800.827.7903

To my wonderful wife, Megan, and our six wonderful, precious children, Sasha, Seth, Adelynn, Audrey, Noah and Brielle – you are my best friends and my loves; you are the “why” in my life; you bring me love, happiness, joy and laughter every day and help me to be a better man and father. Thank you. I love you.

-William Enoch Andrews

TABLE OF CONTENTS

PART 1

PREFACE

WHY I WROTE THIS BOOK	11
------------------------------------	----

CHAPTER 1

INTRODUCTION - BASIC INFORMATION ABOUT INJURY LAW TO HELP US GET STARTED ..	14
<i>CAN YOU AFFORD AN INJURY LAWYER? YES! HERE'S WHY IN TWO WORDS</i>	14
<i>HOW GOOD IS YOUR INSURANCE COMPANY? ONE EASY TEST THAT WILL TELL YOU!</i>	16
FAQS	18
MY INJURY LAW FIRM PHILOSOPHY: "INTEGRITY, COMPASSION, EXCELLENCE"	19

CHAPTER 2

MY BUSINESS PHILOSOPHY AND INJURY LAW FIRM TAGLINE	27
---	----

CHAPTER 3

THE "LIFE IMPACT" OF BEING INJURED OR LOSING A LOVED ONE IN AN ACCIDENT	30
--	----

CHAPTER 4

SOME THINGS I DO AS AN INJURY LAWYER THAT MAKE ME UNIQUE	36
---	----

CHAPTER 5

EDUCATING MY CLIENTS ABOUT INSURANCE	44
---	----

CHAPTER 6

"WHY DO PEOPLE CHOOSE YOU TO REPRESENT THEM?"	47
--	----

CHAPTER 7
**A FEW HELPFUL DEFINITIONS FOR OUR
JOURNEY TOGETHER** 50

PART 2

8 WRONG TURNS THAT WILL WRECK YOUR UTAH CAR
ACCIDENT CASE

CHAPTER 8
**WRONG TURN #1:
WAITING TOO LONG TO MAKE AN INJURY
CLAIM** (LEGAL TIME LIMITS) 57

CHAPTER 9
**WRONG TURN #2:
SETTLING YOUR INJURY CLAIM TOO QUICKLY**
(SIGNING A RELEASE WITHOUT LEGAL COUNSEL) 59

CHAPTER 10
**WRONG TURN #3:
NOT BEING TREATED BY A MEDICAL DOCTOR
IMMEDIATELY AFTER YOUR ACCIDENT**
(OR NOT FOLLOWING YOUR DOCTOR'S ADVICE) 64

CHAPTER 11
**WRONG TURN #4:
NOT MEETING WITH AN INJURY LAWYER
IMMEDIATELY AFTER YOUR ACCIDENT** 68

CHAPTER 12
**WRONG TURN #5:
TALKING TO AN INSURANCE CLAIMS REP ABOUT
YOUR INJURIES FROM THE ACCIDENT** 74

CHAPTER 13
**WRONG TURN #6:
THINKING THE INSURANCE COMPANY IS
HELPING YOU** 78

CHAPTER 14
**WRONG TURN #7:
CHOOSING AN ATTORNEY THAT DOES NOT
FOCUS ON INJURY LAW** 82

CHAPTER 15
**WRONG TURN #8:
NOT HAVING HIGH ENOUGH INSURANCE
COVERAGE** 86

PART 3

CHAPTER 16
BONUS TIPS 95

- *BONUS TIP 1: TAKE GOOD PHOTOS AND/OR
VIDEO OF THE ACCIDENT SCENE** 95
- *BONUS TIP 2: GET GOOD MEDICAL IMAGES
TAKEN OF YOUR INJURIES IMMEDIATELY** 96
- *BONUS TIP 3: SOCIAL MEDIA – BE CAREFUL!** 98

CHAPTER 17
**WHAT TORT REFORM IS AND WHY
PERCEPTION IS NOT REALITY** (PULLING BACK THE
CURTAIN ON “THE WIZARD OF OZ” - SOME INSIGHT
INTO INJURY LAW) 100

CHAPTER 18
**TWO QUICK EXAMPLES OF BIG DIFFERENCES
CLIENTS HAD WITH ME** 107

CHAPTER 19
SAMPLE INJURY CASE RESULTS 110

CHAPTER 20
CASES I DO TAKE AND CASES I DO NOT TAKE ... 112

CHAPTER 21
**WHAT PAST CLIENTS SAY ABOUT WORKING
WITH ME** 116

CHAPTER 22

LEARN TO LAUGH, THE POWER AND IMPORTANCE OF GOOD HUMOR 120

MY FUNNY TIES 120

FUNNY QUOTES FROM PEOPLE INVOLVED IN CAR ACCIDENTS 121

A LINK TO A FUNNY LEGO VIDEO 122

INJURY LAW FIRM CONTACT INFO 123

PART 1

P R E F A C E

WHY I WROTE THIS INJURY BOOK

I WANT YOU TO BE TREATED FAIRLY

That is I why wrote this book. I want people who have been seriously injured in car accidents, and in some cases lost a loved one, to be treated fairly. To me, being treated fairly means for a person who has ben injured in an accident to get all of the medical care they need for their injuries; to get all their healthcare bills paid for; and to receive fair financial compensation.

My goal is to have a book for people who have been injured in a car accident in Utah that will help them by giving them some basic information about what to do and not to do when they are injured in an accident.

Even if you never contact me, meet me or ask me to help you with your car accident, motorcycle accident, trucking accident, bicycle accident, pedestrian accident or wrongful death case, I hope this book will help you at least not be exploited by an insurance company. Helping injured people be treated fairly is *that* important to me.

I am tired of multi-billion-dollar and multi-million dollar insurance companies ripping off injured people. I am tired of those companies exploiting the lack of knowledge the general public has about what to do when they or a loved one is seriously injured or killed in an auto accident.

I am weary of the deceptive, cunning, dishonest behavior of some (not all) insurance companies. It is unjust. It is immoral. It is just plain wrong.

I want to right that wrong. That is why I am an injury lawyer. That is why I enjoy being an injury lawyer. I get to right a wrong by helping people through some of the hardest times in their lives and making sure they are treated fairly. That is one of the reasons why I like being an injury lawyer.

LEGAL DISCLAIMER

Well, I am a lawyer so naturally I have a legal disclaimer. Seriously though, it is important to be clear from the beginning that none of the information contained in this book is personal legal advice, nor does it create an attorney-client relationship. An attorney-client relationship is only established with my law firm if I choose to take your case and you sign an attorney-client fee agreement with my injury law firm. The information in this book is not a substitute for having a good personal injury lawyer represent you for your injury claim.

Nevertheless and notwithstanding, if you, your loved ones or friends are injured in any type of vehicle accident, I do hope the information in this book will be helpful to you and that I can help you.



William Enoch Andrews
I N J U R Y L A W Y E R

CHAPTER 1

INTRODUCTION BASIC INFORMATION ABOUT INJURY LAW TO HELP US GET STARTED

CAN YOU AFFORD AN INJURY LAWYER?

In a word, “**Yes!**”

Why? Two words: **Contingent Fee**

A contingent fee means you do not have to “come up with a retainer” for me to represent you in your injury case. It also means that earning my fee is contingent upon (determined by) me getting money (from an insurance company) for you.

Working on a contingent fee basis as an injury lawyer means that I have a vested, financial interest in result of your case. If I don’t get a good result, I don’t get paid. Period.

It also means getting you the best possible financial result in your case. The more money I get you for your case the more money we both get.

Wait! It gets even better! No “up-front costs”. I advance (pay up-front for you) all the costs involved in your case.

You do not have to pay any money up-front or out-of-pocket for me to represent you. None. As an injury lawyer I only get paid when I get an acceptable result for you! So, **no out-of-pocket costs for me to represent you in your injury case! Yay!**

Summary:

One of the best parts of being an injury lawyer is working on a contingent fee basis. Why?

1. A person injured by the negligence of another CAN “afford an attorney.”
2. By having an injury lawyer represent them, even the financially poorest person injured person is put on equal ground with multi-million dollar and multi-billion-dollar insurance companies.
3. I am vested in the financial result of my clients’ injury cases because I only get paid when I get an acceptable (and sometimes great!) result for my clients. It is a true “win-win” for my clients and for me.

Note: I wish every business I used personally and professionally, had a financial interest (only got paid when I got an acceptable or great result) in the outcome of our business relationship. That would be cool!

**YES! YOU CAN AFFORD AN INJURY LAWYER!
YAY! Good Times! Good Times!**

THE TRUE TEST OF ANY INSURANCE COMPANY: WHEN IT HAS TO PAY YOU MONEY

People have often asked me over the years, “How do I know if the car insurance company I have is good?” Or, “Is ‘X’ car insurance company good?” Or, “What do you think of ‘Y’ car insurance company?”

The true test of how “good” any car insurance company is:

How does the car insurance company treat you when they have to pay you money?

Every month, month after month and year after year, we pay money to our insurance companies for coverage, which Utah law requires us to have. There are no claims at all made for the vast majority of people for many years, sometimes ever. During that time, of course, your insurance company is “happy to help you” and “considers you a valued customer;” etc., etc.

What happens when you get into an auto accident that someone else caused? *How are you treated then?*

Does the insurance claims rep make you feel bad for making a claim? Don’t let them do that – this is exactly why we have insurance. This is what we all pay our insurance premiums every month for, year after year.

You don’t feel bad when you are sick and need to make a claim with your health insurance company do you? Of course not! That is what health insurance is for – to take good care of you when you get ill. The same principle applies to car insurance. You should not feel bad at all when you get injured and need to make a claim with the car insurance company of

the person who caused the accident or your own car insurance company – or both – that is what car insurance is for!

Does the car insurance company representative make you feel as the accident was your fault, even though it clearly was not? Are you helped to understand the process and helped through it, as injured people should be in such a tragic situation? Are you treated with kindness and respect?

What happens when you get into a car accident and the person who caused the accident (the “at-fault driver”) is uninsured and you have to make a claim with your own car insurance company? How does your car insurance company treat you then? That will determine how “good” or “bad” your insurance company really is.

Or, what about when the at-fault person has only the minimum amount of car insurance coverage required by Utah law (\$25k for bodily injury or death) and you have \$50k or \$100k or more in medical bills for your injuries from the accident, plus the cost of your future healthcare? Then I will need to make an *underinsured motorist* claim with *your car insurance*. How do they treat you?

When you are injured and have to make a claim for a large amount of money to cover your healthcare bills and to financially compensate you for the *life impact* of your serious injuries now and in the future – how any insurance company treats you during your claim will show you their true colors.

Is the insurance company reasonable? Unreasonable? Contentious and disrespectful? Helpful and friendly? Fair or unfair?

With me as your injury attorney, does the insurance company settle and pay out on your injury claim in a reasonable amount of time, after you are done treating? Or, does the insurance company offer nothing or a very low amount and refuse to settle your case so I need to litigate your case in court?

Does the insurance company try to find many ways (some completely illogical and against the basic laws of physics) to try to deny paying all of your medical bills or giving you a fair amount of money?

I hope you and your loved ones are treated well in your time of great need. If not, I am here to help you.

FAQS (FREQUENTLY ASKED QUESTIONS) AND BASIC ANSWERS

Q: What do I do if I get into a car, motorcycle or trucking accident?

A: Stop. Stay at the accident scene unless your health is in danger.

Help the injured. Don't do anything you are not qualified to do.

Call 911.

Be careful what you say; you may not want to admit fault.

Witnesses. Get the name, phone, email and home address of witnesses.

Exchange info with any other person involved in the accident.

Get medical care immediately.

Call me for a free consultation.

Q: How Do I Get the Medical Treatment I Need For My Injuries From The Accident?

A: Immediately go to a hospital emergency room or “ER” when you have been seriously injured in a car accident. Too many people do not go to an ER immediately after their car or motorcycle accident and get the medical care they need including medical evaluations of their injuries. I can refer you to good medical care providers. I am blessed to have a large network of medical doctors, surgeons, chiropractors, physical therapists and other healthcare providers, that I can refer you to for good medical care.

Q: What About My Medical Bills? / How Can I Get My Medical Care Paid?

A: In a car accident case caused by the negligence of someone else, your medical bills are typically paid for out of the money I get for you from the car insurance companies involved in the case.

1) PIP (“Personal Injury Protection” or “No Fault” Medical). If you are injured in a car accident an insurance company should pay up to \$3,000.00 of your medical bills from the accident. Increasing the amount of your PIP will help get your medical bills paid easier and faster.

2) Health Insurance. After PIP, your health insurance should pay your medical bills for your injuries from the car wreck. Your health insurance often has a right to be reimbursed for a portion of the amount they spend for your care when your injury case pays out.

High deductibles and/or High Out-Of-Pocket Maximums are two of the reasons that health insurance is not an option for many people. Most health insurance plans only cover 80% of the medical bills and you are required to pay the additional 20% which is often too expensive.

3) Lien for Healthcare. A lien for healthcare can be great. I work with surgeons, doctors, chiropractors, physical therapists and other healthcare providers to get my injured

clients' medical care done on lien. I contact the healthcare provider; my client signs a lien with the healthcare provider in which the client agrees to pay the medical bills regardless of what happens in their case; and that document is sent to me. I review the lien document to make sure it is fair to my client; if so, I sign it and send it back to the healthcare provider. Then, when I get a good settlement for my injured client's case, I pay the healthcare lien for my client from the money received.

Some benefits of me coordinating a healthcare lien for my injured clients are:

1. I get my clients the medical care they need to get better.
2. No out-of-pocket costs for my clients. No monthly payments on your medical bills.
3. No credit damage.

Q: Should I sign the Medical Release the car insurance company gives me?

A: In a word – NO! The medical release or “authorization” is used too broadly by insurance companies to your detriment. It can be used by them to gather any and all of your medical records from your past, including prior injuries – even if unrelated to your car accident. It may authorize them to get personally sensitive or even embarrassing medical records; employment records, mental health records, criminal records and other information. Even though not relevant at all to your car wreck, *insurance companies will try to use any of this info against you to not pay you any money or to minimize it.*

*If I represent you, I will get your medical records relevant to the accident.

*If you need a rental car only talk to the insurance company about that, not your injuries, health, or the facts of the car crash.

Q: HOW DO I KNOW IF I HAVE A GOOD INJURY CASE?

A: LCD. Liability. Causation. Damages.

Liability. Who caused the accident? If another person's negligence caused the accident, they are liable ("at fault") for it.

*Vehicle 1 in the Police Report is usually the driver found liable for causing the accident, as a general rule. However, there are exceptions to this rule and police reports sometimes have crucial mistakes in them.

Witnesses and Witness Statements can also help determine liability. If you are a passenger in Vehicle #1 or a driver or passenger in Vehicle #2, #3, #4, etc., and are seriously injured, you may have a good case.

Causation. Did the accident *cause* the injuries or death (the "damages")?

The damage done to the vehicles involved in the accident, the speed of one or more vehicle at the time of impact (the force of the impact), accident scene photos and/or videos, basic laws of physics, the evaluation of the injuries by medical doctors and other evidence may all help determine causation.

Damages. What physical harm was caused by the accident? Injuries? Death?

If injuries, what are they? How do the injuries impact your health now? In the future? What is the cost of caring for those injuries *now*? What is the cost *in the future*? Did the injuries cause a complete loss of employment? Do you

need an entirely new career? Can you not work at all any more and need constant care?

If death, what was the age of the person who died? Were they healthy? Unhealthy? What was their income at the time of death? What was their future earning potential?

So, whether you have a potentially good injury case or not begins with the analysis of “LCD”.

Note: There is much more that goes into evaluating an injury case in each of the “LCD” categories mentioned, (like comparative negligence, other causes that may contribute to an injury or death, and time from the date of the accident to the present; as well as a client’s health at the time of an accident, their medical history, age, gender, education, total insurance policy coverages as compared with the total healthcare needs, current and future, of a client, to name just a few).

Q: How Do I Know If I Need An Injury Lawyer?

A: If you have been in a car wreck you should contact me to talk about it.

I offer a free consultation to evaluate your case. I will tell you if you need me to represent you and I will tell you if you do not need an attorney.

If you have been injured by the negligence of another person, in a Car, Motorcycle, Trucking, Bicycle or Pedestrian vehicle accident, most of the time you will need me to represent you.

*Remember: because of the contingent fee, it costs you nothing to meet with me to find out if you have a case.

Q: What is my accident case worth?

A: No one knows until I get all of the information gathered for your case.

If any lawyer tells you at the very beginning of your accident case what they think the value of your case is – RUN!

After all the information for your case is gathered, including your healthcare records and bills, your relevant medical history, the policy limits of all applicable insurance and many other factors, then, and only then, can the value of your case be known.

PIP, CAR RENTAL AND/OR REPLACEMENT AND AUTO REPAIR SHOPS

PIP (Personal Injury Protection or “No Fault” insurance)

In Utah, \$3,000.00 is the state minimum PIP coverage which may be used for medical bills or death from the accident; the lesser of \$250.00 per week or 85% of gross income loss for up to 52 weeks; up to \$20.00 per day for household services up to 1 year; and funeral services. (UCA §31A-22-307)

Some claims representatives for the insurance company of the person that caused the accident may say to you when you are injured something like:

Half Truth: “We will only pay up to \$3,000.00 of your medical bills.” That statement is a half-truth. A “half-truth” is by nature and definition a “half lie.”

Full Truth: “We (the car insurance company of the person who caused the accident and injured you) will only pay up to \$3,000.00 of medical bills *without admitting fault*.” Those last three words are key. Those three words are “the rest of the story,” as the late syndicated radio host Paul Harvey used to say.

In Utah, by paying more than \$3,000.00 of an injured person's medical bills the liability car insurance company is basically admitting that the person they insure caused the accident (is "at fault").

Note: the person driving the vehicle that caused the accident generally must be the owner, named insured (person named on the car insurance policy) or live with or have permission from the owner or named insured for the car insurance company to accept liability. There are exceptions to the general rule but I want to "stick to the basics" and not get too technical in this book.

The truth is that if the injury case is a good case, then with my help the liability insurance should pay for all of your medical costs when the case pays out, whether your medical bills are thousands of dollars or hundreds of thousands of dollars; if there is a sufficient liability insurance policy amount.

INCREASE YOUR PIP COVERAGE

Many people only have the \$3,000.00 PIP minimum. Please increase your PIP to \$25k, \$50k, or even \$100k because doing so will help to get your medical bills paid easier if you are ever in a serious car wreck.

Another reason car insurance company claims reps say to their own insured person "we will only pay \$3,000.00 of your medical bills. Why? Because that is all the PIP coverage you have on your policy (even though you could have had more and we should have told you that you could purchase much more – like \$25,000.00 of PIP or more – but we wanted to win your business by dangling a low price in front of you rather than informing you on how to fully protect you and your family because we care about our business, not you and your family)."

OK, that last part in the parentheses is my opinion about how some (but thankfully not all) insurance companies treat

people like money machines and income streams instead of valued individuals with a life and loved ones.

The full truth is if you have a good injury case, your medical bills from the car accident should be paid for by the available insurance.

CAR RENTAL

When your car is totaled or significantly damaged in a car accident, you can get a rental car. One of the many services I provide my clients is coordinating getting a rental car for them, if needed, and not just any rental car, but one that is comparable to, and sometimes even better, than the one that got damaged in the accident.

If needed, I also work with the car insurance company to extend the time my clients can use the rental car beyond the usual, standard amount of days. This helps my clients still be able to get the medical care they need while also being able to run other errands, as well as allowing time for their vehicle to either be fully repaired, or to find and purchase a replacement vehicle.

*However, extending the rental time can be expensive. It is best to get a replacement vehicle ASAP so you can reduce your costs and even get money back by returning the rental car in early!

Note: My injury law firm can help coordinate a car rental for you if you have been in an auto accident.

CAR REPLACEMENT

Make sure you get fair value for your vehicle if totaled. I recommend going to www.NADA.com, typing in your zip code and putting in all relevant info about your vehicle to understand the fair value of your car, motorcycle or truck.

AUTO REPAIR SHOPS

You can choose where you want your car to be repaired to virtually any licensed auto repair dealer and the car insurance company responsible should pay for it. Period. Claims adjusters for car insurance companies usually tell their insured persons where to take their vehicle when it has been damaged in an accident. Often they will say “You have to take it to ‘X’ repair shop.” That is wrong.

What is right is often car insurance companies have an arrangement with the repair shop they told you to go to. That arrangement is almost always a reduced rate that the repair shop charges the car insurance company so that it will send the car repair business to them.

The repair shop a car insurance company may send you to may not actually do the best quality work repairing your car, nor is it the one you would prefer to go to because of reputation, price, closeness to your home, etc. It is, quite simply, just a better deal for the car insurance company.

Instruct the towing and insurance companies to take your car to the repair shop you want and don't let them jerk you around on this point.

Note: I refer my clients to a very good auto repair shop that treats my injured clients well and does good quality work on their vehicles.

CHAPTER 2

MY BUSINESS PHILOSOPHY AND INJURY LAW FIRM TAGLINE

MY BUSINESS PHILOSOPHY:

“Take good care of people and the money will follow.”

I truly believe that if you take good care of your clients, or customers, your business will grow and prosper and that has been my experience with my injury law firm. Virtually all of my injury cases are referred to me by:

- *Past clients
- *Current clients
- *Medical Doctors
- *Chiropractic Doctors
- *Other attorneys that do not practice injury law
- *People that know me in business and other areas of my life

If I didn’t take good care of my injured clients and have good business relationships I would not be in business. (See Chapter 21 “What Past Clients Say About Working With Me” near the end of this book).

People first. Money will follow.

I take good care of my injured clients and I am blessed that my injury law firm prospers.

MY INJURY LAW FIRM TAGLINE:

“Helping you through hard times with integrity compassion and excellence.”

Integrity is total and complete honesty in action, in written word and in spoken word. In everything. Integrity because integrity in personal character is the best and only way to live. Integrity because it is the foundation of all good personal relationships and all good business relationships. Integrity because I value the trust that people who have been seriously injured or lost a loved one place in me when they come to me to help them through this hard time in their lives.

Compassion because the people who come to me have been seriously injured, or lost a loved one, and I care about them and their families and the life impact such tragedies have on all of them. I am blessed to be able to help my clients through a very hard time in their lives. Compassion because I believe in treating my clients as individuals with a life and loved ones, not just another injury case. Having compassion makes all the difference.

Excellence because that is the type of knowledgeable and skilled injury lawyer I try to be by focusing exclusively on injury law and constantly working to improve my knowledge and skill professionally and personally. Excellence because that is the kind of injury lawyer I would want for my wife, our children, and myself if we were injured.

Being seriously injured in an auto accident is a hard time in life and affects your life physically, mentally, emotionally,

spiritually and financially – what I call the “Life Impact” of being seriously injured (see Chapter 3).

Helping you through hard times with integrity, compassion and excellence is how I do business. First, I take care of injured people and make sure they get the treatment they need and fair financial compensation. Second, I get paid for doing that.

I hope neither you nor your loved ones are seriously injured, or pass away, in a car accident due to the negligence of another person. If that tragedy does happen, however, I would be happy to help you through that hard time.

CHAPTER 3

“LIFE IMPACT” OF BEING INJURED IN AN AUTO ACCIDENT

Being injured is like many things in life, unless and until you go through it and experience it yourself, you really have no idea what it is truly like. Being seriously injured in a car accident affects your life Physically, Mentally, Emotionally, Spiritually and Financially – Life Impact.

PHYSICAL

The most obvious part the Life Impact of being injured is, of course, the physical part – the physical injuries you suffer. However, what is not commonly known is how much an injured back, neck, knee or shoulder, etc. impacts an injured person’s overall quality of daily life.

What could you do *before* the accident that you cannot do now? What could you do *without pain* before the accident that now is painful and/or you can only do a little? These points and others, are part of the physical Life Impact.

The *age* of a person can be a major factor in how the physical injury impacts him or her. Generally speaking, the younger a person is the better they are able to recover from their injuries and the older a person is the more devastating a serious injury is.

The *health* of a person can make a significant difference in how a serious injury changes their life. If a person is healthy at the time they are injured, then that person may heal more easily from their injuries and a serious injury may sometimes be able to be overcome. However, if a person is already dealing with a serious medical condition at the time they are injured in a car accident, then what would ordinarily be a small injury can become a major life-changing injury.

MENTAL

Being injured is mentally stressful. You are dealing with something that you have not dealt with before and know very little about. Add to that phone calls from your insurance company and the insurance company of the person who caused the car accident. All this while you are in the hospital trying to get treated for your injuries, or at home recovering.

If you are a single adult, you have to try to deal with this yourself. If you are married, then your wife or husband has to deal with it as well as everything else you both already deal with in your busy lives.

For my clients, I take all the stress and hassle of dealing with insurance companies away. The insurance companies communicate with me, not my injured clients. My clients don't have to worry about any of those headaches at all. This is another valuable benefit of having an injury lawyer represent you, it greatly reduces the mental stress of being injured in a car accident.

Another service I provide in this area for my injured clients, when needed, is to refer them to a good mental health counselor who is trained to help them with the mental trauma that comes

from being seriously injured. This way, my clients are able to get the care they need in this area of the lives as well.

EMOTIONAL

Being seriously injured be a very emotionally challenging experience. It is, therefore, very understandable that being seriously injured causes many people to cry and have bouts of depression and insomnia. It can also be stressful to personal relationships.

How do you look? Your face? Your body? These are very personal questions that injured people ask themselves after they have been injured. There are often scars from the injuries themselves and scars from the surgery needed to repair the injuries. Scars change a person's physical appearance and may leave them feeling sad, very self-conscious and even depressed about how they look.

Can you exercise at all? If so, how often? How intensely? How does this emotionally impact your daily life?

All of these things described, and more, are examples of how being injured can have a significant impact on your life emotionally. And, because your life is greatly changed, that in turn can affect the lives of your family and friends.

Many times, the emotional challenges of being seriously injured are not considered, let alone treated. That is unfortunate. It is important that the emotional ramifications of suffering a serious injury be considered and addressed, and I help my clients through this challenge with other professionals, if needed.

FINANCIAL

This is a big one. The financial challenges that come with suffering a serious injury are big and often unknown to most people until they have to deal with it personally. Dealing with a serious injury can be financially very hard. Most people in the public who have not been injured do not realize how financially devastating being seriously injured in a car accident can be.

Bills. Thousands, tens of thousands, even hundreds of thousands of dollars in medical bills. Of course, these bills are in addition to the monthly bills we already have for food, water, home and utilities. Having bills pile up, especially while you are injured, can be very stressful.

Missing Work. Many people who have been injured in a car crash often need to miss time from work to heal from their injuries and to get the healthcare they need. Of course, missing work means less money coming in for you and your family causing a variety of financial challenges.

Credit Damage. Being injured in a serious car wreck can damage your credit if healthcare bills are not paid timely.

To make matters worse, many times, especially in recent years, medical bills are quickly turned over by the healthcare provider to a collection company. That alone is bad enough and adds insult to the injuries you suffer, but worse, often the collection companies are disrespectful and “hound” you about the bills with seemingly constant calls and threatening letters.

The result often damages the injured person’s credit, because they simply cannot pay the medical bills from the car accident immediately.

Note: See Chapter 4 “Some Things I Do As An Injury Lawyer That Make Me Unique” for information about how I help my injured clients deal with the financial impact of being seriously injured in a car wreck.

SPIRITUAL

I believe that we are all spiritual beings. I further believe that our spiritual, mental, emotional, and physical parts are all inseparably intertwined. Therefore, when something impacts us in one of these areas, all of them are affected.

If our physical body is seriously injured from an auto accident, our spiritual side will not be as strong and vibrant as it could be and we will not be as peaceful and happy as we could be and want to because we are out of balance.

If we are mentally in distress because of our about money because injury bills are piling up and we don't know how to deal with it, and because we don't have an injury lawyer helping us, we are going to be spiritually out of balance too. The same goes with the emotional distress and financial hardship of being seriously injured in a car wreck.

“COUNSELOR”

As lawyers we are often called “Counselors”; a part of being an injury lawyer that may be overlooked. However, it is an important part of being a lawyer and a very important part of being an accident attorney.

As an injury lawyer, I get to counsel my injured clients as I help them through the Physical, Mental, Emotional, Financial and Spiritual – the Life Impact – challenges of being seriously injured or losing a loved one in a car accident.

It is rewarding to me personally and professionally to help my injured clients through one of the hardest times in their lives. In fact, it is an honor. It is one of the many reasons I like being an injury lawyer.

“I WISH I WAS NEVER INJURED, IT’S NOT WORTH IT.”

Many of my injured clients over the years have said that being injured was “not worth it.” That is the true reality of what it is like to be injured. *That* is the affect of the *Life Impact* of being seriously injured in a car crash.

My goal for each of my injured clients is to help them recover completely from the full *Life Impact* of being seriously injured or losing a loved one in a car, motorcycle, pedestrain, bicycle or trucking accident. I hope I can help you.

CHAPTER 4

SOME THINGS I DO AS AN INJURY LAWYER THAT MAKE ME UNIQUE

Fewer injury cases = more personal care and attention.

*I only take a limited number of personal injury cases each year so I can give special care and attention to each one of my clients' cases.

*I don't take every case. **I believe in quality, not quantity.**

*I personally work on your injury case. If I take your case I work on it.

Some high volume injury law firms take what I consider to be too many injury cases and don't give proper care and attention to each case. If I take your injury case, I will work on it personally to settle it, resolve it in mediation, arbitration or litigation whatever is in your best interest.

EXAMPLES OF SOME THINGS I DO DIFFERENTLY TO HELP MY INJURED CLIENTS

1. **Surgery and Other Healthcare Done on Lien.** I work diligently with surgeons, medical doctors, chiropractors, physical therapists and other healthcare providers to get my injured clients' medical care and even surgery done on lien.

Over my years as an injury lawyer I have developed good relationships with many healthcare providers so they know me and trust me to make sure they get paid for the work they do for my clients.

Getting my injured clients' surgery done on lien, for injuries from their car accident is a big benefit to my injured clients because they may not otherwise be able to get the surgery they need at all.

Some people don't have health insurance, or their health insurance deductible has not been met and is so high that they cannot afford to pay it to get surgery.

Or, if they did get surgery through their health insurance they could not afford to pay their portion of the cost of surgery. Many health insurance plans are "80/20" meaning your health insurance will pay for 80% of the cost of surgery (and other medical care) but you have to pay 20% of it, until your "OOPM" (Out Of Pocket Maximum) is met; many people cannot.

No "up front" or "out of pocket" costs.

When done on lien, surgery is paid for from the money I get from the car insurance companies for my clients' injury cases; not by my clients from their own money, provided the case goes well as it usually does.

No monthly payments.

A surgery lien includes no payments on the surgery bill by my injured clients during the pendency of the case (time between surgery and case paying out).

No credit damage.

My clients have virtually no risk of credit damage from a medical bill because I have coordinated their surgery to be done on lien and the surgeon (and other healthcare provider) knows that I will pay their bill from the money received from my clients' injury case.

- 2. Credit Repair Referral.** If needed, however, I do refer my clients to a credit repair company to help them. Sometimes, before I got involved in the case, a client's credit is damaged by medical bills from the accident that were not paid either timely or even at all by their health insurance or PIP.

By referring my clients to get credit repair I help them get back on the road to financial recovery from their serious car accident.

- 3. Estate Planning Attorney Referral.** When my injured clients get a fairly sizeable amount of net money to them from their injury case, I refer them to an estate planning attorney to advise them on how to plan their estate for themselves and their loved ones.
- 4. Financial Advisor Referral.** Similar to #3, when my injured clients (or surviving family members if they lost a loved one in the accident) get a big amount of money from their injury case, I refer them to a financial advisor to help them grow their money and "make the most of it."

Many times the large amount of money some of my clients get is the most money they have ever had at one time in their entire lives. I want my clients to use that money wisely for themselves and their loved ones now and in the future because they may not have that much money to invest again.

*If needed, I may refer an injured client or their family to a Life Care Planner.

5. Healthcare Provider Referrals. I refer my injured clients to surgeons, medical doctors, chiropractors, physical therapists and others for treatment. The healthcare providers I refer my injured clients to are ones that I know, like and trust so that my clients receive quality care. I have good business relationships with the healthcare providers I refer my injured clients to and we communicate well (confidentially) about my clients' needs.

***Note:** I do not get a share of the fee or a referral fee (“kickback”) for referring my clients to any of the professionals listed. I want to help you fully recover from the *Life Impact* of being injured or losing a loved one, and money is an important part of that recovery.

6. Good Communication with My Injury Clients. Good, honest communication is vital to the success and happiness of our personal and business relationships. I have been told by some of my injured clients who came to me after working with other injury law firms that they “never get to talk to the attorney” and “did not get calls returned to them”.

A few of the things I do on an injury case to have good communication are:

- 1) Call or email my clients during their treatment to see how they are.
- 2) Contact my clients around their surgery dates to check on them.
- 3) Answer my clients' questions about their case.

- 4) Communicate with my clients' healthcare providers about their care, records, diagnosis of their injuries, prognosis on the future of my clients' injuries and healthcare needs and other matters.
- 5) Disclose all applicable insurance policy amounts to my clients.
- 6) Keep my clients updated periodically on the status of their case.
- 7) Listen to my clients; their pain, struggles, challenges and dreams.
- 8) Care about and appreciate my clients. I send 'Thank you' cards, etc.

7. Reductions of Healthcare Liens. I work diligently to get healthcare liens reduced for my clients so my clients get more money in their hands. Although not all liens are reduced, it can mean a difference of thousands of dollars, or more, to my injured clients.

8. Reduce My Attorney Fee, If Necessary, to Help Clients.

We all liked to get paid in full for what we have worked for and earned, I know I certainly do! That being said, when a situation in an injury case is such that there simply is not enough money for my client to get any money at all (because the medical bills are high and the car insurance coverage is low), then, in *my sole and absolute discretion*, I may reduce my attorney fee to help my injured client. It is very rare for me to reduce my fee on a case, but on occasion I do.

Note: When needed, I may also reduce my attorney fee on an injury case if I ask other self-employed small business healthcare providers, like medical doctors, chiropractors and physical therapists, to reduce their fee.

Over my years as an injury lawyer, I have learned from surgeons, chiropractors, medical doctors, physical therapists, and other self-employed small business healthcare providers, that the vast majority of other injury law firms ask them to reduce or “cut” their bills but the lawyer or law firm does not reduce their fee. *Reducing my fee on an injury case is in my sole and absolute discretion and is on a case-by-case basis.*

SOME OF THE WORK I DO ON MY INJURY CLIENTS’ CASES:

- Contact all insurance companies informing them I represent you.
- Instruct the insurance companies not to contact you any more at all; and deal with all insurance companies for you.
- Gather all information related to your accident such as police reports, medical records, photographs, witness statements and other relevant data.
- Get copies of the insurance policies involved; review them; counsel you on your policy and ways to improve your insurance coverage.
- Contact witnesses and the investigating police officer, if needed.
- Meet with your treating doctors and other healthcare providers and talk about your healthcare, medical records, current and future treatment; meet with your past healthcare providers, if necessary, and discuss your medical history.
- Prepare a Demand Package for your case and submit it to all applicable insurance companies with the relevant evidence, law, facts and legal arguments.

- Settle your injury claim for an amount of money fair to you.
- Evaluate if your health insurance has paid any of your healthcare bills from the accident. If so, analyze if your health insurance company has a claim for reimbursement from the settlement money (they usually do).
- Negotiate with your healthcare providers to see if they will accept a reduced amount of money; and pay those bills from the settlement money.
- Mediate your case if the insurance company is not willing to settle for an amount of money that is fair to you.
- Prepare you for mediation by explaining the process and answering your questions.
- Work at mediation to get an amount of money that is fair for you.
- Arbitrate your accident case by preparing the case for arbitration.
- Prepare you for arbitration by explaining the process, answering your questions, preparing you for a deposition and other matters.
- Prepare exhibits to be used in your case, as needed.
- Prepare an “Arbitration Brief” and submit it to the arbitrator(s), as needed.
- Resolve your case at arbitration for an amount of money that is fair to you.
- Litigate your case.
- Prepare a complaint and file your case with the appropriate court.

- Get an IME (Independent Medical Exam) done on you, if needed, by a medical doctor I trust will be fair to you.
- Prepare you for a DME (Defense Medical Exam); a medical exam done by a medical doctor used by insurance defense attorneys.
- Prepare you, your healthcare providers, witnesses and others, as needed, to have your deposition taken and to be in court, if necessary.
- Prepare exhibits to be used in your case, as needed.
- Prepare and file motions and briefs with the court to avoid problems and protect your interest.
- Prepare for and attend settlement talks with opposing side before trial.
- Litigate your injury case in court before a jury and/or a judge.
- Evaluate if an appeal of your injury case is warranted and in your best interest.
- File an appeal of your injury case, if necessary.

*During all of these steps, I still work to negotiate a fair settlement for you.

CHAPTER 5

EDUCATING MY CLIENTS ABOUT INSURANCE

I think it is helpful to educate my clients about insurance, and the importance of being well insured, as I represent them in their serious injury or wrongful death cases. Therefore, I inform my clients of all available insurance coverage applicable to their accident case and the amount of each insurance policy.

I also get a copy of my clients' insurance policy (or policies) relevant to their case and I talk with them about their insurance coverage. Then, I advise my clients about their insurance situation and how they may improve it, including the items below as well as other things, as needed.

1) Get Higher Bodily Injury Policy Limits. Clients often don't have enough insurance coverage for serious injury, catastrophic injury or death cases. I advise my injury clients to increase their bodily injury insurance coverage amounts. Please get high bodily injury insurance policy limits of at least \$100,000.00 (\$100k) per person and \$300k per accident. I recommend bodily injury coverage policy limits of \$250k per person / \$500k per accident; more is even better.

One of the saddest situations I deal with as an injury lawyer is a serious injury, catastrophic injury, or

wrongful death case in which a client does not have high enough amounts of bodily injury insurance coverage to adequately compensate them financially for the great tragedy they have suffered. Please be very well insured for yourself and your loved ones.

2) Make Sure Your Insurance Coverage Lines Match.

I recommend to clients that their Liability, UM (*Uninsured Motorist*) and UIM (*Underinsured Motorist*) policy limits coverage all match (have the same amount of coverage) so they are prepared with good coverage for most any accident situation that may happen in the future.

Some insurance companies' sales agents tell people to lower one or more of their injury coverages (often UM or UIM) below their liability amount to "save money" – *don't* do it; it can cost you hundreds of thousands of dollars if you get in a serious accident. Please don't step over hundreds of thousands of dollars to save a few dollars a month – have high policy limits coverage and make sure all coverage types match. You will be glad you did.

3) Increase Your "PIP" (Personal Injury Protection)

coverage to \$25k, \$50k or even \$100k, so more of your medical bills can get paid easier and faster by your car insurance company if a car accident (motorcycle, trucking, bicycle, pedestrian or wrongful death) happens in the future.

4) Property Damage / Car Repair:

(A) Increase your property damage coverage, if needed. (B) You can generally go where you want to get your vehicle repaired. You do not have to go to an insurance company's "approved" auto repair shop. Such "approved" shops can sometimes be "cut rate", low quality places of business "approved" because they

charge the insurance company that refers people to them much less than quality auto repair shops do.

5) Know Your Insurance Policy and Read Any Updates You Get. Your car insurance policy will often impact many important factors in your case. Read it. Know how it affects you. Read every update you get from your insurance company, it can often include very important changes to the terms of your insurance policy that directly affect your life, should you be in a serious vehicle accident.

6) Change Insurance Companies, if needed. As an injury lawyer I can tell you some insurance companies are more friendly, fair, reasonable, financially strong and professional when you have been in an accident or lost a loved one than others. Period.

I recommend my injury clients change their insurance company if the one they had at the time of the accident is a low-quality one. I do that so if my clients are ever in another accident they have a better quality insurance company the next time. I get no financial benefit of any kind for recommending any insurance company. I simply want my injured clients to be treated better in the future if tragedy should strike again.

CHAPTER 6

“WHY DO PEOPLE CHOOSE YOU TO REPRESENT THEM?”

A question I have been asked is: “Why do people who have been injured in accidents choose you to be their injury lawyer?”

Answer: The things I wrote in Chapters 4 & 5 in this book are some very important reasons people choose me to represent them.

Here are a few more:

#1 Because They Are Referred to Me. My injury law firm has been virtually 100% from referrals for years. Referrals from current and past injury clients, medical doctors, chiropractors, other lawyers that don’t practice injury law, and people that know me in business, Church, neighborhood, etc.

When a new client is referred to me by one of the people mentioned, then the new client has confidence I will do quality work and they will have a good experience because they were referred to me by someone they know, like and trust who knows me.

Note: After many years, in 2016 I am finally getting a website done for my injury law firm and will add that dynamic, as well as some additional marketing options, to my referral-based business.

#2. I Don't Pressure People to Sign with Me. I just discuss potential clients' situation with them and inform them about the process of being involved in an accident. I have been told by past clients that when they went to some of the heavily advertised injury law firms in Utah they felt pressured to sign an agreement of representation and they chose me because I did not do that. I often usually tell potential injury clients "Do what I would do – do what is best for you and your family."

#3. I Educate My Injured Clients About Insurance Coverage. As mentioned in the previous chapter, I educate potential clients and current clients about insurance coverage.

#4. I Talk to People Openly, Honestly and Explain the Process of an Injury Case to them, including the Time, Chance of Success, etc. I talk to potential clients about how injury cases go either via Settlement, Mediation, Arbitration or Litigation. I take the time needed to answer any questions they may have about their case injuries, medical records, surgery, bills, time for case to be done, etc. I also manage potential clients' expectations, meaning I am careful and conservative in what I tell them to expect the result of their accident case to be.

#5. I Relate to My Clients Because I Am a Cyclist. I enjoy cycling as I ride my Cannondale Synapse with my wife, who has female version the same bicycle, and on occasion we compete in a cycling competition. I personally know the fun, exercise and fresh air of cycling or just going for an easy bicycle ride.

#6 I Understand Because I Ride Motorcycles. I enjoy riding motorcycles too. I currently have a Honda Pacific Coast, an older classic 800cc motorcycle. I have had different

types of motorcycles over the years. I know the fun of riding a motorcycle.

I also know the dangers of cycling and riding motorcycles and that many car and truck drivers do not keep a good lookout for cyclists and bikers and hit them way too often. When a biker or cyclist gets hit we are fully exposed to the full force of the car or truck delete and the result can be catastrophic injuries or even death.

CHAPTER 7

A FEW BASIC DEFINITIONS USED IN INJURY LAW HELPFUL FOR OUR JOURNEY TOGETHER

(The words below are defined as used in the context of this book.)

At Fault Party:	the person who caused the accident; also known as the “tortfeasor”;
BI (“Bodily Injury”):	injury suffered to the body or mind including death;
Causation:	the issue of the impact of the car accident causing the injuries or death of a person;
Coverage:	the amount of money your insurance company agrees to pay for personal injuries (yours or another person’s) and property damage in the event of an accident;
Covered Person:	a person covered by an insurance policy; it can be a named

- insured, a family member, resident relative, or permissive user of a named insured (see “*Named Insured*” below);
- Damages: the injuries, or death, caused by an auto accident and the financial costs involved now and in the future;
- Liability: the issue of who caused or is “at fault” for an accident or injury;
- Minimum Coverage: UCA (Utah Code Annotated) §31A-22-304 states that in Utah the minimum car insurance coverage allowed by law is \$25,000.00 per person for “BI” (Bodily Injury), or death of one person; \$50,000.00 per accident for BI or death of two or more people; and \$15,000.00 per accident for “PD” (Property Damage); PIP minimum for cars and trucks is \$3,000.000;
- Named Insured: a person who is named on an insurance policy, who is a policyholder; it can be one person, two people, or more;
- PIP: coverage for payments of healthcare bills from injuries

caused by a motor vehicle accident; aka “no fault med pay”

Property Damage: damage to the vehicle(s) involved in a car accident; it can include damage to other items

Recommended Coverage: \$250,000.00 per person BI, \$500,000.00 BI per accident, and \$100,000.00 per accident PD (Property Damage); more insurance coverage is even better

I also recommend you have a \$1M (\$1,000,000.00) “Umbrella” policy also; *see “Umbrella” definition; remember, being well insured is about protecting you and your family in the event tragedy strikes; you can often get the \$1M “umbrella” policy for a few hundred dollars a year and be very well protected.*

***Note:** if you truly cannot afford a policy with \$250k / \$500k coverage as recommended; then **please protect yourself and your loved ones by having absolutely no less than a \$100k / \$300k bodily injury policy**

***Note:** having great bodily insurance coverage is one of the best,

most important and least expensive investments you can make for you and your family. Please be well insured.

Subrogation Lien: a reimbursement lien for medical care that has been given “up front” (without any out-of-pocket payment) and that is to be paid back once the injured person receives money from the insurance company, or the case “pays out”;

Tort: a civil wrong in our American society, like being injured in an auto accident by the mistake (“negligence”) of another person;

Tortfeasor: the person who caused the car accident; the “at fault party”;

UIM (“Underinsured Motorist”): a person who does not have sufficient insurance coverage given the injuries to a person or persons that their negligence caused;

UM (“Uninsured Motorist”): a person who does not have valid insurance coverage on a vehicle on the date of an accident; or, a person who steals a vehicle and causes a car accident;

Umbrella Coverage:

an inexpensive insurance policy that is in addition to your car insurance and home insurance policies, and that goes over them like an umbrella; additional financial protection in the event you or a loved one is seriously injured or accidentally causes serious injury to another;

Note: often umbrella policies usually cost only a few hundred dollars a year for \$1M (One Million Dollars) of coverage; so it is a great value for the money; the cost can vary depending on the individual facts, people and insurance companies involved.

PART 2

8 WRONG TURNS THAT WILL WRECK
YOUR UTAH CAR ACCIDENT CASE

AND HOW TO PREVENT THEM

CHAPTER 8

WRONG TURN #1: WAITING TOO LONG TO MAKE AN INJURY CLAIM (LEGAL TIME LIMITS)

In injury law, there are Statutes Of Limitation (“SOL”). Another name for a SOL is a *legal deadline*, a time within which something must be done. For example, *in injury law a very important SOL is the date by which a Complaint must be filed in a court in Utah* so the time limit for your claim does not run out, (become “barred”). A complaint must be filed in court, not just a claim made with an insurance company.

If a complaint is not filed in court within the SOL, then the legal matter is barred, meaning it cannot be brought before any court because the time for doing so has ran out. You are then prohibited from even making a claim for your injuries from the accident.

Therefore, it is very important that you immediately get an injury lawyer to help you after you have been in an auto accident. If you wait too long, you will not be able to bring an injury claim at all and will not get any financial compensation.

Utah has a four (4) year SOL for car accidents, as a general rule (UCA §78B-2-307(3))

However, those 4 years may be reduced to as little as 1 year. If, for example, the State of Utah, or a county or city in Utah is the defendant in the accident the SOL is reduced to 1 year and requires a NOC (Notice Of Claim) to be filed with the right person, in the right department at the city, county or state.

There are other exceptions that can apply and reduce the SOL. Generally, however, there is a 4-Year SOL for car accidents in Utah. Don't let the SOL for your accident case run out.

Right Turn: CONTACT ME IMMEDIATELY AFTER YOUR ACCIDENT to:

- 1. Protect Your Rights**
- 2. Make sure the Statute of Limitation "SOL" for your accident does not run out.**
- 3. Get professional legal representation and fair financial compensation for your injuries.**

CHAPTER 9

WRONG TURN #2:

SETTLING YOUR ACCIDENT CLAIM TOO QUICKLY (SIGNING A RELEASE WITHOUT LEGAL COUNSEL)

A common mistake some people who have been injured in a car accident make, is settling their injury claim too quickly by signing a release with an insurance company before they have been evaluated by a medical doctor or met with an injury lawyer. Claims adjusters for insurance companies like it when injured people do this because then they can pay the injured person much less than the true value of their case. If you do this, you will not know your injuries and your legal rights.

The fact is immediately after you have been injured in a car accident, you don't know what injures you have, or how serious the injuries you have are. You also cannot know what injuries you may have that manifest later. If you sign a release too soon after an accident, you may lose your chance to receive fair financial compensation.

A reality is that most injured victims are struggling financially and want to get money as soon as they can. Immediately. Insurance claims adjusters know this and exploit it by offering a few hundred dollars, or a few thousand dollars; often knowing the case is valued at much more.

The truth is that insurance companies and their claims adjusters are not legally obligated to tell you things you should, but don't know about your injury case. They do not volunteer information that you don't ask about. They will not tell you any more than the absolute minimum that Utah law requires them to tell you.

If, without meeting with an injury attorney you sign a release and accept a settlement payment from an insurance company, you may give up your legal rights for an injury attorney to help you with your case later.

However, if you do sign a Release and the following situation applies, it may be voidable under Utah Code Annotated §75B-5-812:

“(1) Any release of liability or settlement agreement entered into within a period of 15 days from the date of an occurrence causing physical injury to any person, or entered into prior to the initial discharge of the person from any hospital or sanitarium in which the injured person is confined as a result of the injuries sustained in the occurrence, is voidable...”

Please do not sign a release without legal counsel.

A trick some car insurance companies have started using in the past few years is an example of why you should not sign a release.

Here is how it goes.

First, a person gets injured in a car accident that someone else caused. Second, very soon after the car accident (often only a day or a few days) the injured person is called by an employee of the car insurance company that insures the person who hit them.

The car insurance representative says something like “We will give you a check for \$3,000.00 (often much less) right now to settle this case.” The injured person says, “Three thousand bucks! That sounds pretty good. Ok.”

Third, the insurance company then sends a release *of all claims and injuries known and unknown* to the injured person that he/she is required to sign and return, then sends out a check for \$3,000.00 as a “*full and final settlement*”.

The injured person got \$3,000.00 so, what’s the problem?

The problem is that the person who is injured does not know what type of injury or injuries he or she has because they have not been properly evaluated by a medical doctor, and they do not have an injury lawyer to protect their legal rights and make certain they receive full, fair financial compensation!

The result is: “They Got Ya!” – the insurance company cheated you by exploiting your lack of knowledge at your time of tragedy no less.

You have been tricked by the insurance company into signing a full release without knowing:

1. What your injuries are? What injuries may show later?
2. What medical care you need now to recover and heal?
3. What medical care is needed in the future?

4. Your legal rights for your accident and injuries.
5. How to get fair financial compensation.
6. Many other things related to your injury case.

EXAMPLE / SAMPLE STORY

One of the best examples of the problems that come from signing a release in an injury case before being treated by a doctor or having an injury lawyer represent you follows. Unfortunately, the following story is true.

A woman I will call Megan and her adult daughter, I will call Sasha, were in a car that got hit by another car driven by a man who did not have car insurance. The very next day, a claims adjuster for their own insurance company came to the house where the Megan and Sasha lived *with a plate of cookies no less* (can you believe that? Talk about fattening up someone for the “kill!”).

The female claims adjuster said, “I understand that you two were not hurt much in the accident.” (What the claims adjuster really meant was, “I am so happy that we think we don’t have to pay you much of anything.”)

Megan and Sasha both responded with something like, “Well, both of our shoulders are really sore, but that’s it I guess.” To which the claims adjuster responded, “Well, we don’t have to pay you anything...” (half truth, which is also a half lie; they do have to pay you something however, they don’t have to pay you anything yet.) “But, (as if out of the goodness of their hearts) we will pay you, Megan, \$600.00, and you, Sasha, \$500.00, if you sign this release, then we will get you your checks.” Like she was doing them a big favor and going way out of her way to help them.

Well, unfortunately, Megan and Sasha both signed the release without talking to medical and legal professionals. The “rest of the story,” as Paul Harvey used to say on his national radio show, is a sad, but all too common one.

The soreness in the shoulders of both Megan and Sasha was because *they both had a torn rotator cuff in each of their shoulders!* A fairly serious injury! To repair each rotator cuff would require thousands of dollars in surgery per shoulder plus the additional follow-up medical care including PT (physical therapy) and other healthcare as directed by their doctors.

With proper coverage, the amount of the award per person with each having two torn rotator cuffs from the car accident had the potential of being valued at many tens of thousands of dollars per person! Money that would have paid all of their medical bills for their much-needed and necessary healthcare and healing. Money that would have compensated Megan and Sasha for their pain and suffering, and give them money to help with monthly bills and other expenses.

Not being treated for their injuries by a medical doctor immediately after their car accident and not being represented by an injury lawyer; but rather listening to a “sweetheart” claims adjuster, cost Megan and Sasha potentially many tens of thousands of dollars each and left them both in pain and having to pay for their shoulder surgery and recovery themselves.

Right Turn: DO NOT sign a release on your own.

DO call me to represent you for your accident case so I can protect your rights and get the best result for your injury case.

CHAPTER 10

WRONG TURN #3:

NOT BEING TREATED BY A MEDICAL DOCTOR IMMEDIATELY AFTER YOUR ACCIDENT (OR NOT FOLLOWING YOUR DOCTOR'S ADVICE)

If you get injured in a car accident, motorcycle, trucking or bicycle accident, *immediately get treated by a medical doctor.* Do not wait. Waiting can greatly harm your injury case. Period.

Get medical care quickly after your accident even if you “think you are fine”. You may have injuries you are not aware of or which may manifest later.

Over the years as an injury lawyer, I have spoken with people who have been injured in accidents and waited for weeks or months before visiting a medical doctor and getting evaluated and treated for their injuries.

Some people said, “I just wanted to tough it out.” Or “I didn’t think it was that bad.” Or “I didn’t think I was hurt badly.” Or “I didn’t think my medical bills would be paid for if I got treated for my injuries from the car wreck.”

Too often these injured people are living in pain - sometimes severe pain - thinking they are “just fine.” Unfortunately, they

are suffering, not getting the healthcare they need and – as if all that wasn't hard enough – they are damaging their injury case from a legal standpoint, even though they are injured and it is factually clear their injuries were caused by the negligence of another person.

Two reasons why delaying medical treatment can damage your case:

Life

More specifically, your activities in life. From the time you are injured in a car crash, you may go on vacation. Your vacation may include activities like riding roller coasters, hiking, riding ATVs, bicycling, jumping, dancing, swimming, running, golfing, weight lifting, surfing, riding horses, etc.

Some of those activities could cause injuries like the ones you got in the car accident, or at least make the injuries you got from the vehicle accident worse because such activities can jolt or harm your body. That complicates things. It also gives insurance companies a reasonable basis to deny your claim or at least to greatly lower the amount they would have offered you without such activities “muddying the waters” of your claim.

Here are two examples of problems that come from not being treated by a doctor immediately after a car accident.

Example #1. A man I will call Roger in his late twenties is riding a bicycle and gets hit by a car and waits for months before being treated for his injuries.

Unfortunately, Roger now has shoulder problems that he says are from the accident but since it was a year after the

accident before he contacts me, and he has been involved in many outdoor activities since then, I could not help him. Roger did not get medical treatment immediately after his accident, did not treat consistently when he finally got treatment, and waited too long before contacting me.

Example #2. A man I will call Wayne is in a car accident where the driver of another vehicle crashes into his vehicle. Wayne waits nine months after the car accident to get evaluated by a doctor. The doctor referred Wayne to me but I could not help him because he did not see a medical doctor quickly after his car accident to find out what injuries he had.

GAPS IN TREATMENT

(Not Following the Advice of Your Doctor)

Time gaps in your healthcare treatment after an auto accident can greatly reduce the financial value of your case. Big gaps in treatment can ruin it, as shown by the two stories of Roger and Wayne.

When you miss an appointment or two with your doctor it allows the insurance company to claim you aren't feeling very bad. If your pain was bad enough (goes their line of thinking) you would keep your appointment with your doctor to get better. It is a reasonable, if often erroneous, argument.

Some people in the public (most of whom have not been seriously injured themselves in a trucking accident, nor lost a loved one) think: "You would have 'found a way' to get the medical treatment you need if you were 'really' in pain."

Although that line of thinking may not be accurate in your case, it is the thinking of many people in the public. If your case

were to go to a jury trial, some jury members may think that way. So it is best to avoid that issue by treating consistently and not having any time gaps in your treatment.

Not following the treatment advice of your doctor or doctors can destroy your injury case. Period. If your doctor advises you to get a specific surgery or other treatment, or to stay at home and rest, it is usually best to follow your doctor's advice for your health and for the strength of your injury case. If you do, problems are often prevented. If you do not, problems often arise.

Right Turn: **Get treated by a medical doctor *immediately* after your accident, even if you “think you are fine” and follow his advice on treatment and treat consistently until the doctor says you are done.**

CHAPTER 11

WRONG TURN #4:

NOT MEETING WITH AN INJURY LAWYER IMMEDIATELY AFTER YOUR ACCIDENT

Outmatched. Confused. Frustrated. Stressed out. Exploited. If you don't get an injury lawyer to represent you quickly after your serious car accident and you try to handle it on your own that is exactly the situation you will be in. Being outmatched will cost you money, potentially a large amount of money.

We have all seen an athlete who is outmatched by his opponent. Not a pretty sight. The superior athlete or team dominates and even crushes the inferior one. If you try to handle your serious injury claim on your own the same will be true for you. You will be outmatched. You will lose – and lose big.

Your lack of knowledge about insurance claims and personal injury law will be exploited and will cost a great deal to you in time, stress and money.

Insurance companies want to pay you nothing, if possible.

Alternatively, insurance companies want to pay you as little as they can possibly get you to agree to accept.

To achieve either of these objectives, insurance companies will take advantage of the fact that you don't know what they know. What you don't know can and will hurt you and can cost you a lot of money. Insurance companies will exploit the fact that you are trying to represent yourself in a matter that you know almost nothing about.

It is not only *what you don't know* that will cost you time, stress, and money if you try to handle your own injury case, but also *what you think you know but are wrong about*, that will be costly to you too.

You will lose time and money by spending time searching on the Internet for information you think is helpful to you. Worse, you will think you know things and actually be wrong and the insurance company will know you are wrong and use it against you.

Maybe you talk to a friend or a family member – or even a friend or family member who is an attorney, or “a former police officer” or “a friend who went through an accident recently.” However, none of those people are an injury lawyer in Utah and so they are not qualified and experienced to help you and they don't know what they are talking about, good intentions notwithstanding.

An excellent injury lawyer knows far more about insurance, injury law and how to help you with your serious accident case than you, well-intended family and friends, or any claim adjuster for any insurance company. What's more, insurance companies know I, as an injury lawyer know more than they do, and deal with me differently.

MONEY: THE ELEPHANT IN THE MIDDLE OF THE ROOM FEW WILL TALK ABOUT

Some people injured in vehicle accidents have been told by claims adjusters “if you get an attorney, you will get less money.” Or “an attorney will take part of your money and you won’t get as much.”

First, in Utah statements like those are illegal. UAC R590-190-9(10) basically states that it is an unfair claims settlement practice to tell a claimant (an injured person making an insurance claim) that if they hire an attorney to represent them they will get less money.

Here is language from that Utah law:

UAC R590-190-9 states:

The commissioner, pursuant to Section 31A-26-303(4), hereby finds **the following acts**, or the failure to perform required acts, to be **misleading, deceptive**, unfairly discriminatory or overreaching **in the settlement of claims:**

(10) advising a claimant not to obtain the services of an attorney or suggesting the claimant will receive less money if an attorney is used to pursue or advise on the merits of a claim;

Question: Why would Utah have such a law?

Answer: Because it was needed. The law was needed due to claimants (people making an injury claim with an insurance company) being told by insurance claims adjusters that if they got a lawyer to represent them for their injury claim they would

get less money which, of course, has a “chilling effect” on (reduces the chance that) people injured in car accidents will get accident lawyers to help them and also their legal right to access to our legal system.

For virtually every law there is a history that tells why the law was made. Laws are often made to help stop a problem or to prevent a problem. UAC R590-190-9(10) was made to stop the problem of insurance claim adjusters discouraging injured persons from getting injury lawyers to represent them by telling them that if they did, they would get less money. Some unprincipled claim adjusters still use this bad trick, however.

Second, data shows the opposite is true. *People who get injury lawyers to represent them in their injury claims actually get more money*, and sometimes much more money, than they otherwise would.

Note: UAC R590-190-12(10) prohibits insurance companies from “intentionally offering less money to a first party claimant than the claim is reasonably worth, a practice referred to as “low-balling”. Yes, that law was needed too. Why? To protect you from car insurance companies not offering you a reasonable amount of money.

MOST INJURY CASES SETTLE

“I don’t want to sue anyone in court.” “I don’t want to go to court.” Some people who have been injured in vehicle accidents may think like that and thus not want to get an injury lawyer to represent them.

Good news. In about 90% of my cases, I am able to get the insurance companies to settle my clients’ injury claims fairly, without me needing to use mediation, arbitration or litigation (court). The knowledge, experience and skill I have as an injury

lawyer allows me to get a fair amount of money for my clients by settlement.

So the vast majority of the time, my clients do not have to “sue anyone” or “go to court.” Sometimes, of course, for the best interest of my clients, I do need to file a case in court.

It is important for you to know that although the person who caused the car accident is named in the lawsuit as the “Defendant” and my client, who was injured in the accident, is called the “Plaintiff”, generally it is, *the insurance company that insured the Defendant at the time of the accident pays my client’s claim*, not the person (driver) who made a mistake.

Even for the 10% or so of cases that I do have to file a complaint on, most settle before my client has to “go to court” so usually my clients don’t have to worry about any of that.

You Focus on Healing.

I Will Focus on Getting the Best Result for Your Injury Case.

You focus on healing physically, mentally, emotionally, spiritually and financially. Being seriously injured in an auto accident is a very hard life experience to go through. One of the “untold stories” of being seriously injured is how it impacts your entire life and your love ones’ lives as well.

I will focus on getting the best result for you in your injury case. Let an me, an experienced injury lawyer, take the pressure off you by dealing with the insurance companies, handling all of the legal issues, headaches, logistics, details, negotiating, communicating

with medical care providers, healthcare liens and other matters – “the headache of it all.”

Representing people who have been seriously injured in accidents is what I am trained in; experienced in and knowledgeable about. It is what I focus on. It is what I am good at. Put all of these qualities, and more, to work for you.

In addition to having a Bachelor’s Degree and a Doctorate Degree (JD, Juris Doctor of Law), as an injury lawyer I am consistently learning and studying to be excellent. I work diligently to stay on the very cutting edge of injury law, including new laws enacted by the legislature, court cases, administrative laws, insurance industry practices, and many other issues.

You will get more money for your injuries and have less stress by having a great injury lawyer represent you.

Right Turn: Contact me to represent you in your serious injury case.

You focus on healing.

I will focus on getting the best result for your accident case.

CHAPTER 12

WRONG TURN #5:

TALKING TO AN INSURANCE CLAIMS ADJUSTER ABOUT YOUR INJURIES FROM THE ACCIDENT

Talking to a claims adjuster about your injuries from a car accident can greatly damage your accident case. Who does the claims adjuster work for? You? No! The claims adjuster works for the insurance company that employs them, and that is exactly who they are loyal to and watching out for. So, do not talk to any insurance claims adjuster about your injuries. Period.

Insurance claims adjusters are not bad people, in fact some of them are very nice people and good to deal with; they are just doing the job their employer, the insurance company, pays them to do.

Q: What is the claim adjuster's job? (Remember from earlier in my book?)

A: To pay you nothing, if possible. Or, to pay you the least amount they can.

RECORDED STATEMENTS

Recorded statements are a big reason not to talk to a claims adjuster about your injuries. If you agree to talk to an insurance claims adjuster after your accident, you could truly wreck your case.

Understand *“anything you say to an insurance claims adjuster can and will be used against you later in the case!”*

When you talk to a claims adjuster they will want to record what you say (you have to agree to have the conversation recorded). Or, if you choose not to be recorded, the claims rep will make detailed notes of what you say. Why?

Recording your phone conversation, or making detailed notes of it if it is not recorded, is all in an effort to use it against you. This is done by either using what you said on the phone against you later during settlement negotiations; or by giving it to the insurance defense attorney to use against you in litigation (court). Either way, talking to an insurance claims representative hurts your serious injury case.

It is fairly common for people, right after a car accident, to call their insurance company and speak to a claims adjuster and say they “don’t have any injuries” or they “feel fine” or are “only a little sore”.

However, say a few days later the same person gets evaluated by a medical doctor who informs them they have severe injuries (such as neck, spinal cord, brain, etc.) that were caused by the car accident they were in?

The insurance company may try to use your previous statement that you did not have any injuries against you to not

pay your medical bills from the accident or fairly compensate you financially for your injuries from the vehicle accident.

When I represent people in car accident cases in my initial Letter Of Representation, or “LOR”, to all insurance companies. I specifically require that I be sent a written transcript or audio recording of any and all conversations involving my client. By getting a copy of the transcript, or audio CD, I am aware of some of the tricks and strategies the insurance company will try to use against my client at some time in the case. I am prepared to handle any such tricks and defeat them.

A major reason insurance claims reps are calling to find out about your injuries is to eliminate payment to you or minimize the amount of money they pay you regardless of what reason they say they are calling for. Not good for you.

Only talk to an insurance claims rep to get your car towed and get a rental car. **Do not talk to an insurance claims adjuster about your injuries or who caused the accident.**

Right Turn: Contact me to represent you and let me deal with the insurance company’s claims adjusters and lawyers.

1. I will represent you against the insurance company of the person that caused the accident.

2. I will represent you against your own insurance company.

3. I will work to get you fair financial compensation.

4. I will help reduce your stress, headaches, frustration, anxiety, fear about the accident by protecting your rights and dealing with the insurance companies.

5. You focus on healing physically, mentally, emotionally, spiritually and financially and moving forward with your life.

6. I will focus on getting you the best result for your car accident case.

CHAPTER 13

WRONG TURN # 6: THINKING THE INSURANCE COMPANY IS HELPING YOU

2 Techniques Used by Some Claims Adjusters to Get You to Talk with Them After You Have Been Injured In An Auto Accident: The Bully and The Sweetheart

Neither Is Your Friend. Neither Is Watching Out For You.

THE "BULLY"

The **bully insurance claims rep** is easy to spot. This is the claims adjuster who is mean and rude. This type of claims adjuster won't help you and is horrible to deal with. This is the claims adjuster who says things like, "we're not going to pay you anything," or "we're not going to pay for that" and other similar statements.

Another bully technique is to say, "We won't help you if you don't talk with us." If you don't get an injury lawyer to help you, you are going to be treated rudely and pushed around by the bully insurance company claims rep. Don't let it happen to you.

Only when you get an injury lawyer to represent you do insurance companies take you seriously. The reason is the insurance company knows that although they can push around the average person in the public by exploiting their lack of

knowledge about insurance claims and injury law; they also know they cannot do that to me. I get to stand up the to bully insurance rep, protect my clients' legal rights and make sure my injured clients receive an amount of money that is fair to them.

THE "SWEETHEART"

The sweetheart insurance claims rep is more slick and subtle, thus harder to notice. The sweetheart claims adjuster is one who says things like, "we'll take care of you" "we'll make sure you're treated fairly" and "we're here to help you through this" and other such statements to try to lull you in to their confidence.

Then, like a spider to a fly, the sweetheart claims adjuster has got you in their web. Soon, you trust the sweetheart claims representative because "they have been so nice" and you tell them all they want to know. Later, you find out it is too late and you have been taken advantage of, or at least treated unfairly (i.e., after you have signed a release and deposited a check for much less than is fair to you).

Again, remember the real reason they are contacting you: to pay you nothing or as little as possible; they're not bad people, that's just their job.

My goal is exactly opposite: to get you the maximum amount of money - that is my job.

AN INSIDER'S NOTE ON INSURANCE CLAIMS ADJUSTERS

My experience as an injury lawyer is that insurance claims adjusters are often grouchy people. Some claims adjusters are

nice, happy people that are good to work with; but they are exceptions.

My observation over the years is that some of the reasons insurance claims adjusters are not happy are:

1. Overworked. Often, insurance claims adjusters are overworked with a high number of car accident claims to deal with.
2. Underpaid. Many claims adjusters don't get paid very well; often they are "lowest on the totem pole" in insurance companies and their pay reflects that.
3. Not appreciated. Claims adjusters are usually only one employee of many in a massive insurance company, another "cog in the wheel" so to speak, and are often not recognized, valued, rewarded or appreciated by the big companies they work for. Understandably, this makes them grouchy and thus not good to deal with. Not always though.
4. Have Supervisors or Managers. In many insurance companies, the claims adjuster has supervisors they have to report to. The supervisors must also approve virtually all the decisions the claims adjuster makes, such as whether to settle a case and for what amount, etc. Of course, having to have practically all of your decisions approved day after day, year after year is not exactly inspiring and fun.
5. Approve Big Checks for People They Don't Know. I think this point is in some ways the biggest one of all. While insurance claims adjusters are dealing with all of the challenges involved in #1 – #4 herein, they then approve, or get approval for, big checks for people who they don't know and don't care about.

Such checks can be for \$25k, \$50k, \$100k, \$200k, \$300k, \$500k, \$1M and more.

One of the great things about being an injury lawyer is that I get to stand up to the “insurance bully” and “beat him up” for my seriously injured client.

I also get to reveal the “insurance sweetheart” and void and nullify the techniques she uses and thus protect my seriously injured clients’ best interest.

Right Turn: Know that the insurance company is there to help themselves, not you.

Know that I am here to help you and contact me.

CHAPTER 14

WRONG TURN #7:

CHOOSING AN ATTORNEY THAT DOES NOT FOCUS ON INJURY LAW

A few years ago, I heard an interesting and important statement that surprised me; it was from a plaintiff injury lawyer colleague of mine.

The statement was: “The first question that is asked by insurance defense lawyers on an injury case is ‘*Who is opposing counsel?*’”

The plaintiff injury lawyer was formerly an insurance defense lawyer before switching sides (or, as I like to say “he went from working for the Empire to becoming like me, a Jedi Master – gotta love “Star Wars”!)

So, “Who is the injured person’s lawyer?” – *that* is the very first question lawyers who represent insurance companies ask? Wow! That shocked me.

The question was not, “How is the injured person?” Or, “What are the injuries?” Or, “How much are the total medical bills?” Or even, “What amount of money are we at risk of paying?” No. It was “who are we up against?” Point: choose an injury lawyer that focuses on injury and accidents.

Another point here is the relationships a skilled injury lawyer has with insurance defense lawyers can help his injured clients. A great injury lawyer's professional relationships with opposing counsel can facilitate a better, faster settlement for clients. How? We have worked together before or know each other, and often have a good, mutual respect and appreciation for one another which can help an injury case go better than it might otherwise.

A RECENT EXAMPLE OF WHY TO CHOOSE A LAWYER WHO FOCUSES ON INJURY LAW

A woman I will call Ardella was referred to me through a few different people. The injured person had a broken leg and the insurance company of the person responsible for the accident had accepted liability. However, Ardella chose to follow her boyfriend's advice (big mistake!) and let the attorney that practices family law that both of them knew try to handle her injury case (another bad decision!).

The family lawyer made serious mistakes on the case, and even some very basic ones. No fee agreement was signed for the injury case, which is required. Ardella also said that *the family lawyer asked the injured client, "So, how much do you think this case is worth?"* Are you kidding me??!!!!

After months of "not being able to talk to my lawyer about my case," Ardella was referred to me. Ardella sent me several documents about the case. I reviewed the case and quickly found the serious errors made by the family lawyer, including not requesting basic info in the first letter to the insurance company.

That was bad enough. What makes it worse is that the insurance defense attorney, whose name I recognized as an

experienced defense lawyer, knew that the family lawyer did not know what he was doing in the injury case.

Advantage: insurance company.

Disadvantage: injured person.

GREAT VS. COMPETENT

In any profession there is a big and very important difference between great and competent. When an attorney passes a State Bar Exam, he is considered to be competent to be a lawyer. In my opinion, a lawyer can then become great by focusing on one area of law.

I look at the difference between great and competent this way: I don't want my podiatrist doing my brain surgery - no, I want my neurosurgeon doing my brain surgery. Although the podiatrist may be competent as a foot doctor, he is not excellent as a brain surgeon because he has not focused on neurosurgery. Similarly, a lawyer who focuses on only injury law is able to become excellent.

However, a lawyer who practices other areas of law such as criminal, domestic, real estate, bankruptcy, corporate and estate planning as well as "a little personal injury" or "also personal injury" is simply not able to be great in *any* of the areas he practices, in my opinion. This is because he has his hand in too many areas of the law and each area of law is usually too vast and detailed and greatly different from the others.

Personally and professionally, I want to be great.

Remember, the first question that insurance defense attorneys ask when they get a case that has been filed for

litigation is, “Who is opposing counsel?” Choose an attorney that focuses on auto accidents and personal injury.

Right Turn: Contact me. I focus exclusively on injury law and would be happy to represent you in your accident case.

CHAPTER 15

WRONG TURN #8:

NOT HAVING HIGH ENOUGH CAR INSURANCE COVERAGE

Our television airwaves are filled with insurance companies advertising how people can save X amount of money on their car insurance. “Save X amount by changing to our insurance company.” Often, there is a famous actor or athlete who is the spokesperson for the insurance company who is paid to say how much better the company they represent is than the competition.

What those car insurance ads *don't* tell you is how much their “lowest price” deals can cost you if you get into a serious auto accident. The ads also don't say anything about what type of coverage you will get for their “great deal.” Nor do the ads have any info about what problems come to you if you are not well insured when tragedy strikes.

In Utah, you will remember from Chapter 7, the minimum car insurance required by law is what I call “25-50-15.” More technically, according to UCA §31A-22-304, it is “\$25,000 because of liability for bodily injury to or death of one person, arising out of the use of a motor vehicle in any one accident...\$50,000...for bodily injury to or death of two or more persons...” This law continues by requiring \$65,000.00

total coverage for all injuries or deaths and property damage from a car accident.

Remember “\$25k-\$50k-\$15k” is the minimum insurance in Utah.

More importantly, remember to get \$250k-\$500k-\$100k for yourself, or more.

Being well insured is very important. Not having a good amount of insurance can be very costly in money, time and especially your health.

Let me give you recent examples of the importance of being well insured, and the problems that can come from not having enough insurance coverage.

Example #1

A man in his mid-30s, who I will call Noah, was driving a motorcycle on a street through a green light. A young woman turned left in front of Noah and hit him. Noah was rushed to the hospital fighting for his life with many, serious, life-changing injuries.

Noah had a “MTBI” (Mild Traumatic Brain Injury) from his head hitting the car windshield and then the pavement. Thank goodness he was wearing a motorcycle helmet! Noah has trouble remembering things due to his MTBI. Noah’s total medical bills exceeded \$255,000.00 for surgeries, days in the ICU, and other healthcare.

Sadly, there was not enough car insurance coverage to compensate Noah fully, despite my getting maximum results from both applicable insurance policies and a decent amount

of money which Noah and his wife were both very thankful for. Noah and his wife and their five children have their lives dramatically devastated and did not get the amount of money I could have got for them because they were not well insured. It is what I call “pouring salt on a wound” – it makes an already bad situation much worse!

It was bad enough Noah suffered major life injuries, but it was made much worse by not being well insured. Salt on the wound. Tragic.

If Noah had \$500k or better yet \$1M in UIM (*Underinsured Motorist*) coverage, he would have been able to receive far greater financial compensation for his injuries that would help Noah, his wife, and their five young children more.

*****Please be well insured for yourself and your loved ones by having the amount of insurance I recommend at the end of this chapter.*****

Example #2

A young woman I will call Adelynn got a ride to work from a “friend of a friend,” on the way to work, the male driver of the vehicle she was in started being chased by police. Unknown to Adelynn, the driver had illegal drugs in his car and started throwing them out the window while fleeing police in the vehicle (which, by the way, was owned by his girlfriend’s parents). (I know, it sounds like a bad movie or a bad “reality TV” series!)

During the police chase, the driver was speeding and crashed into a few different vehicles, eventually causing the car he and Adelynn were in to crash and roll over.

Adelynn was just trying to get a ride to work and almost died. Adelynn was seriously injured and spent a few days in the hospital. Thankfully, Adelynn survived. Adelynn was able to get the immediate medical care she needed, but incurred tens of thousands of dollars in medical bills.

Unfortunately, the vehicle driven by the male was only insured for the minimum \$25k. Adelynn had no car insurance because she had no car, and there was no additional (or “umbrella”) insurance coverage at all.

Adelynn was not able to be adequately compensated for all of the pain and suffering she had experienced and will experience in the future from her injuries, because there was not enough insurance coverage.

Example #3

A woman I will call Audrey was stopped in her car at a stoplight. The tortfeasor (at-fault driver) came off I-15 in the Salt Lake City area at full speed of about 70mph and hit the back of Audrey’s car. Audrey suffered knee and back injuries requiring surgery on both. Although Audrey got a fair amount of money she could have received better financial compensation if she had more insurance coverage.

Example #4

A final example here involves a woman I will call Brielle who suffered a severe neck injury in a car accident requiring a neck surgery called an ACDF (Anterior Cervical Discectomy and Fusion). I got the max amount of insurance money available from two policies for Brielle and she was appreciative. However, I could have got Brielle more money for her life-changing neck surgery needs now, and in the future, if she was well insured.

Point: Be very well insured.

- i. If you are seriously injured or killed in an auto accident, and are very well insured, the big medical bills should be paid for and, with the help of a skilled injury lawyer, you (or your loved ones left behind) should receive fair financial compensation. **Having great insurance coverage with high policy limits makes the very bad situation of a serious injury or death a little better than it otherwise would be by having more money to deal with all of the challenges involved.**
- ii. Also, if you or someone authorized to drive your car, truck or motorcycle *causes* a serious accident, being well insured allows your personal assets to stay safe.

The Amount of Insurance Coverage I Recommend:

1. **\$250k Per Person / \$500k Liability Bodily Injury coverage, with the same for your UM (*Uninsured Motorist*) and UIM (*Underinsured Motorist*) coverage.**
2. **\$1M “Umbrella Policy” that goes over and is in addition to your car insurance policy and your home insurance policy.** (Such additional coverage is very helpful when tragedy strikes and is usually only a couple hundred dollars *a year!*)
3. ***I prefer you have \$500,000.00 per person \$1M per accident Liability, UM and UIM***

More is even better when tragedy strikes.

Right Turn: Be well insured by having high “BI” Bodily Injury coverage of at least \$100k per person \$300k per accident to protect yourself and your loved ones in the event of a serious accident or death.

*****I strongly recommend you have more insurance coverage, like \$250k per person \$500k per accident*****

*****I also recommend that you have an “Umbrella” Policy of \$1,000,000.00 (\$1M / One Million Dollar) or more. *****

Please be well insured; it is one of the least expensive, very best and most important investments you will ever make for you and your loved ones. I repeatedly emphasize the importance of being well insured throughout my book because it so very important.

PART 3

CHAPTER 16

BONUS TIPS

BONUS TIP #1: TAKE GOOD PHOTOS AND/OR VIDEO OF THE ACCIDENT SCENE

If possible, taking good photographs of the accident scene at the time of the accident can be very helpful. Of course in catastrophic injury and wrongful death situations, taking photographs are often not possible.

Today, most people have a smartphone that has a camera and a video camera. If you are in a serious auto accident, and can do it without harm, use that technology. Take photographs and video of the accident scene, the damage done to your vehicle and other vehicles involved in the crash. If safely possible and appropriate, you may consider taking photographs and/or video of injuries sustained in the car crash.

“A picture is worth a thousand words.” That is the reason for taking pictures at the scene of a car accident. The photos “tell the story” of the damage to the vehicles involved, and thus show the force of the impact upon your body the colliding vehicles made and the resulting injuries you suffer.

Some photographs taken by well-intended but busy police officers may not sufficiently show the impact and damage caused by the accident. Police officers are busy doing the very

important job of protecting our society and they often do not have the time necessary to properly photograph a car accident scene.

You, or a family member or friend, may be able to take many good pictures and a video of the accident scene, all vehicles involved, the area, weather, and your injuries. The photographs and videos you take may be very helpful to your injury case.

Hidden or hard to see damage is another good reason to photograph the crash scene well.

Perhaps the force of a car crash causes a great amount of damage to the undercarriage of your car or truck. Unless you photograph that damage well, it will probably not be visible in the pictures taken by the police officer at the scene of your accident. As a result, the true force of the impact caused by the colliding vehicles will not be shown, and you may not have some “ammunition”, aka evidence, you need to help show how the impact caused the injuries you now suffer.

BONUS TIP #2: GET GOOD MEDICAL IMAGES TAKEN OF YOUR INJURIES IMMEDIATELY

One of the most important and least known things you should do after you have been injured in an accident is to get good medical images taken of your injuries as soon as possible after your car accident.

Here are some examples of the types of good images you may need to get taken quickly after your accident:

X-ray: a form of electromagnetic radiation that can penetrate solid objects

MRI (Magnetic Resonance Imaging): a noninvasive scan that shows detailed images of the internal structure of a part of the body (using a magnetic field instead of potentially harmful x-ray radiation)

MRI generates far more detailed three-dimensional images of the soft tissues of the body, especially of the nervous system from the brain to the spine. These images greatly improve the ability of doctors to distinguish abnormal from healthy tissues. MRI can also be used to observe and measure dynamic physiological changes inside a person without cutting into or penetrating the body.

FMRI (Functional Magnetic Resonance Image): basically, a MRI taken while having the patient / client see different images and/or answer various questions to see if all areas of the brain are operating right or not.

CAT (Computerized Axial Tomography; also called CAT Scan): a specialized x-ray instrument that displays computerized cross-sectional images of the body, providing a noninvasive means of visualizing the brain, lungs, liver, spleen, and other soft tissue.

Getting good quality images of your injuries very soon after your vehicle accident will help your health by informing your doctors of the details of your injuries so they can properly treat you. It will also help your injury case by helping to show that the injuries you have are from the car wreck you experienced.

Note: I refer my clients to a company that does very good MRI work for my injured clients and treats them very well.

BONUS TIP #3: SOCIAL MEDIA

6 Words: Always be careful with social media.

Today we live in a world that has a great amount of social media. From Facebook, to Twitter to Pinterest, to LinkedIn and on and on, social media is a big way people communicate about family, work and life. There are many benefits to social media, it allows us to easily find and stay connected with family and friends who are far away from us that we have not seen in years.

If you have been injured in an accident, you need to be very careful in your use of social media. Insurance companies, specifically their defense attorneys, and now even their claims adjusters, will use your use of social media against you.

Q: Why?

A: A few reasons.

- *Verify the your injuries and how they impact your life.
- *Find out if you are as injured as you claim.
- *To pay you no money, or much less money.

For example, say you were injured in a car accident recently and yet on a social media site you posted that you were “doing great” or “still going to Disneyland”, or “going on vacation”. Such statements may be used against you by insurance companies to try to minimize or eliminate payment to you for your injuries. Within reason, I think it is fine for insurance defense lawyers to ask about your social media use.

An important point to add here: Always be totally and completely honest with me about your injuries from your car accident; as well as your past health condition and injuries, if any, including any “pre-existing conditions” (health issues you had before the car wreck). Never hide anything I just mentioned from me, or anything else that in any way relates to your car accident or injuries, or I cannot help you.

Let me be clear: always be honest. Always tell the total and complete truth about your injuries and in life.

Know that if you have been injured the things you write, the pictures and video you post on social media websites can be used against you by an insurance company to your detriment.

*Always be careful in your use of social media.

*Don't post anything on any social media site that you would not want to be asked about by a claims adjuster or defense lawyer in your injury case.

*Delete anything you have posted that could be used against your case.

* Always be honest with me about your injuries, current health and medical history and pre-existing condition.

*Be cautious with who you allow to view your social media. Best to keep it private (for family and close friends only) and not “public” for anyone to view.

*Don't accept “friend” requests from people you do not know. A “friend” request could possibly come from the tortfeasor (remember from Chapter 7, that is the person that caused the car accident), a claims adjuster or someone else that could be harmful to your case.

CHAPTER 17

WHAT TORT REFORM IS AND WHY PERCEPTION IS NOT REALITY

(PULLING BACK THE CURTAIN ON "THE WIZARD OF OZ," SOME INSIGHT INTO INJURY LAW)

SOME TRUTH ABOUT "TORT REFORM"

***I will preface my comments below to be clear and strongly emphasize an important point by stating I think insurance coverage is important, necessary, helpful and beneficial to our great American society. I think there are some good insurance companies that do treat injured persons well and are good to work with and there are good insurance defense lawyers that are good to work with.

I like and highly value the many advantages of having great insurance coverage for my precious family. I am a strong supporter of the many benefits of being well insured with a good insurance company. I am also a capitalist and value and appreciate the many good products and services that good, responsible big companies and industries provide our society.***

That being said, I am tired of some multi-billion dollar insurance companies and other big business industries and companies and some politicians, telling lies to the public about people injured in accidents and attorneys who represent them,

through false propaganda in the news, TV shows, movies, books, magazines, newspapers and on the Internet. Lies the American people are told are the truth about personal injury law.

Lies like:

1. People who have been injured by the negligence of others are “gold diggers.”
2. Most injured people want to “win the lawsuit lottery.”
3. Injury lawyers who represent injured people are “ambulance chasers.”
4. People in America are too litigious (“sue happy”) and the lawsuits injury lawyers file for injured people are “frivolous” (without real merit).
5. Money paid by insurance companies, and other big companies, to injured persons is drastically increasing insurance premiums.
6. Money paid by insurance companies will destroy the insurance industry and other big business industries, and is devastating our national economy and our great country.

What a bunch of junk!

Only when a person has suffered a serious injury and goes through all of the challenges involved with it do they realize, for the first time, that the tort reform statements they have heard throughout their entire lives are not true.

All those lies spread by some insurance companies are for one main purpose. One reason. One ultimate end: to “Poison the Jury Pool.”

Poisoning the jury pool is a term that means to influence the general public to have a negative opinion of people who have been injured and the lawyers who represent them.

By poisoning the jury pool, jurors in an injury case will award the injured person much less money than is fair and in some cases, no money at all. That is the goal of so-called “tort reform.”

Who benefits from this? Of course the insurance companies benefit. Who is hurt by this? The people who are already suffering from injuries. Those injured persons are already suffering from their injuries and if the case does not settle, then they have to face a jury that is often tainted by the false propaganda called tort reform.

Tort reform is specifically designed for the purpose of getting juries to pay nothing to people injured in auto accidents, if possible; or, alternatively, paying them as little as possible.

Unfortunately, because such tort reform statements have been constantly fed to the public for the past few decades, many people believe they are true. It’s like the old saying, “Tell a lie enough times and people will begin to think it is true.” Sad. Harmful. Wrong.

The actual truth is that none of the tort reform statements we have been bombarded with throughout our lives are true. Period. In fact, the exact opposite is usually true.

THE TRUTH: (WHY “TORT REFORM” IS MOSTLY WRONG)

1. Not ‘gold diggers.’ Many people are injured by the negligence of other people, or companies, and all they want is to just get

their medical bills paid. In fact, many of my injured clients have said to me “I only wanted the car insurance company to pay my medical bills from the accident,” but they refused to and so the person called me.

2. Not trying to ‘win the lawsuit lottery.’ There are many people who have been injured by others and, unfortunately, we injury lawyers cannot help them because there is some problem with their case that makes it impracticable. This is a big, tragic reality of being injured and one of the most important real, “untold stories” of being injured and it is a tragic one. Often the cause of the problem in their case is one of the “8 Wrong Turns” that I cover in this book. I hope I can help you and your loved ones prevent such problems from occurring in your lives.
3. Not ‘ambulance chasers’. My experience has been that we injury lawyers are overall a good group of people. We are diligent about protecting our clients’ legal rights, making sure they are not exploited and getting them compensated fairly. We instruct our injured clients to be honest with us about their injuries for honesty’s sake and to protect our name, reputation and profession. We do very important work and have fun.
4. Not ‘frivolous lawsuits.’ Hollywood movies and news headlines notwithstanding, the cases injury lawyers file have merit and we file them because the insurance companies are not being reasonable and we want to help injured people to be compensated fairly. *If the cases we file didn’t have merit we would not file them and we would not get paid because, remember, we work on a contingent fee basis.*

5. Insurance companies and other big, multi-billion-dollar industries continue to make huge profits year after year, which is good for our country and our national economy.
6. Helping injured people be fairly compensated will not devastate our nation; it is why we have insurance and what we pay for.

ADHESION CONTRACTS

An adhesion contract is basically a contract that greatly favors one side. Car insurance contracts are adhesion contracts. In fact, most insurance contracts (health, life, etc.) are adhesion contracts.

A nickname I have for an adhesion contract is a “take it or leave it” contract. It is a contract that one side (for example, a car insurance company) offers to the other (a person like you) on a “take it or leave it” basis. This type of contract is often drafted by one side (an insurance company), and protects the interest of that side.

Adhesion contracts are offered by an insurance company to an individual after the company has done sufficient research or “due diligence” about the person they are entering into the contract with. Before the insurance company insures you, they know your age, driving history, the vehicle you drive and other relevant information.

Despite all this, the insurance company will often not honor their own adhesion contract and pay you a fair amount of money when you are seriously injured! Ridiculous!

As an injury lawyer, what I do is hold insurance companies accountable. Some of the things I hold insurance companies accountable to do are to:

- 1. Pay you fair financial compensation when you are injured.**
- 2. Do what you pay them good money every month for years for them to do – take good care of you if you are injured in a car wreck.**
- 3. Honor their own adhesion contract.**

There is much more to it, but that's a basic overview of the truth of "tort reform". Accountability of insurance companies and fair financial compensation for people who have been seriously injured. That's it. That is a big part of what I do as an injury lawyer.

The truth is injury lawyers hold big insurance companies and other big companies accountable and they don't like us for it.

In fact, they vilify us for it. They speak badly against our profession ("slander" us) and call us bad names. In TV shows, news shows, radio and movies they write mean untrue things about us ("liable" us) in newspapers, magazines, online articles, etc.

At the same time, they spend millions upon millions of dollars on advertising for TV and other media, telling the unknowing public such things as "we're watching out for you," "we will take care of you," "we will help you." Not so.

The reality is they don't care about you at all; you are just an income source and a file number to them. It is sad. It is wrong. It is too often true.

Conversely, as an injury lawyer, injured persons are individual people to me, people with families, friends, businesses, jobs and dreams and goals. Fathers, mothers, sons, daughters, brothers, sisters, uncles, aunts, cousins and grandparents.

As I often tell my children: “People are more important than things.”

One of the very best things I like about being an injury lawyer is that I get to help people through one of the hardest times in their lives and represent them and fight for them to make sure they get a fair financial result in their case.

So, there it is. I have pulled back the curtain on the Wizard of Oz (aka “tort reform” and poisoning the jury pool) to expose “him”. I gave you some insights into injury law. I have shown you a very brief and basic overview of the misperception of tort reform and a glimpse of the true reality of why, for several decades now, there has been a push for it: to make more money by not settling your serious injury case for a fair amount of money. I hope this “reality check” was illuminating to you. Remember, people are more important than things.

CHAPTER 18

TWO QUICK EXAMPLES OF BIG DIFFERENCES CLIENTS HAD WITH ME

Example #1: Serious Neck Injury Missed By Big Heavily Advertised Injury Law Firm and I Got Maximum Results From Two Large Insurance Policies

An attorney I know referred a car accident case to me. I met with a man I will call Seth and we discussed his case. Seth explained to me that he had called one of the big injury law firms that advertises heavily throughout Utah on TV, radio, billboard, the internet and many other places and was told that he “didn’t have a case.”

Next, Seth met with another attorney about his case. After nine months of no work being done on his case and after calling that attorney many times and getting no return calls, or any response at all, Seth had had enough.

Exasperated, Seth then asked the lawyer who previously handled his divorce if he knew a good injury lawyer. That other lawyer referred Seth to me.

It was about 15 months after Seth’s car accident that he and I met. I decided to take his case.

One of the unusual things about Seth’s car accident case was that no police report was done. Although that is not common,

it is not unheard of and happens sometimes for various reasons. In this case liability for the accident was clear. The car insurance company of the driver who hit Seth accepted liability for the accident.

Working the case, I learned that Seth suffered a serious neck injury from the car accident that required him to have an ACDF (Anterior Cervical Discectomy and Fusion), which is major neck surgery. Basically, ADCF is a surgery that fuses two of the cervical (neck) bones together. It is a life-changing procedure. Only in his mid-30s at the time, this ACDF surgery would impact Seth's quality of life for the rest of his life.

Result:

I was able to get Seth the maximum amount of money from two big car insurance policies. Hundreds of thousands of dollars! Seth was thrilled! The money helped him pay his medical bills and it compensated him for the life impact of his neck surgery.

Over the years since I completed that case, Seth has referred many people to me who have been injured. I greatly appreciate the trust and confidence Seth has shown in me by referring people to me.

Example #2: Spondylolisthesis Rejected By A Different Big Heavily Advertised Injury Law Firm – I Got Maximum Results

Years ago, a woman I will call Megan was referred to me by a friend of hers who was a current client of mine. Megan had been in a car accident and had gone to a different big, injury law firm than Seth had that also advertises a lot on TV, radio, billboards, the internet, etc. At first the big firm accepted Megan's case.

Soon afterwards, however, the big injury law firm wrote her a letter rejecting her case. It appeared that the big law firm did not want to deal with spondylolisthesis. In layman's terms, spondylolisthesis is basically a congenital (born with it) condition that a relatively small percentage of the USA (and world) population has. A significant impact, like a car accident, can cause more damage to a person's body who has spondylolisthesis than most people would experience.

Next, Megan went to a lawyer because she knew him personally and considered him a friend. It soon became clear to Megan that that lawyer did not know injury law and was not the right choice.

Finally, Megan was referred to me by one of my clients. I discussed Megan's case with her and decided to take it. It took a fair amount of work, but in the end I was able to get Megan the maximum amount of money from two separate insurance policies. Megan was very happy with the result.

CHAPTER 19

SAMPLE INJURY CASE RESULTS:

1. Accidental Death / Wrongful Death from Car Accident:

\$1,050,000.00 (One Million Fifty Thousand Dollars)

-Maximum Amounts (“Policy Limits”) from two insurance policies. (\$1M & \$50k)

2. Car Accident Requiring Neck Surgery: \$200,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$100k)

3. Car Accident Requiring Knee Surgery & Back Surgery:

\$200,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$100k)

4. Car Accident Requiring Neck Surgery: \$150,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$50k)

5. Car Accident Requiring Neck Surgery: \$150,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$50k)

6. Motorcycle Accident Requiring Surgeries: \$125,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$25k)

7. Car Accident Requiring Neck Surgery: \$125,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$25k)

8. Car Accident Requiring Neck Surgery: \$125,000.00

-Maximum Amounts from two insurance policies. (\$100k & \$25k)

9. Car Accident Requiring Shoulder Surgery: \$75,000.00

-Maximum Amounts from two insurance policies. (\$50k & \$25k)

10. Dog Bite Case: \$70,000.00

11. Car Accident Requiring Minor Hand Surgery: \$53,100.00

*Every case is different and depends upon many factors, including but not limited to, liability, causation, damages, injuries, coverage, treatment, age, gender, health, and others. I do not guarantee the outcome of any injury case.

CHAPTER 20

CASES I DO TAKE AND CASES I DO NOT TAKE

CASES I DO TAKE

Focus allows for excellence. As I wrote in Chapter 14 “Wrong Turn #7” of this book, it is my opinion that it is important to focus on one area of law to be excellent in it. Even in personal injury law, there are several areas of practice.

I focus on these types of injury cases:

1. Auto Accidents (all types) caused by another person

- a. CAR
- b. MOTORCYCLE
- c. PEDESTRIAN
- d. BICYCLE
- e. TRUCKING (“Big Truck”/“Semi-truck”/“18-Wheeler”)

2. Wrongful Death (from an Auto Accidents)

People sometimes die from car accidents. Those deaths can happen at the time of the accident or afterwards. Either way, if the death was caused by a car accident, this is a case that I take. I am happy and honored to help you and your loved ones through this very hard time in your lives.

3. Dog Bites

UCA §18-1-1 basically states if you are bitten by a dog the person who owns the dog is liable (“at fault”) for it and the injuries you suffer from it and the expenses you incur because of it. The injury claim is usually made with the home insurance company of the dog owner.

CASES I DO NOT TAKE

1. Cases Where You Are Found 100% “At Fault” For (Caused) The Auto Accident. Although police officers are human like the rest of us and can therefore, make mistakes in their reports as to who is at fault for a car accident, police officers are usually correct in their evaluation. If you are found 100% at fault for a car accident I cannot help you with your case.
2. Cases Where You Are Found *Mostly* At Fault (More Than 50%). In Utah, there is what is called “Comparative Negligence.” Comparative negligence does what it sounds like it would do; basically it compares the negligence of the people involved in the car accident and apportions (gives) a percentage of fault to each person. If you are found to be more than 50% liable for the accident, that is a case I do not take.
3. Accidents Where Your Medical Care Costs Do Not Exceed \$3,500.00

If your medical expenses from being injured in a car accident do not exceed at least \$3,000.00, then you do not need an attorney and these are the types of situations that PIP is for. I usually don’t take cases unless your medical bills exceed \$3,500.00 as generally those are cases where it may be worthwhile for you and me to work together.

4. If You Have Not Been Honest With Me About Your Health or Medical History or Anything Else Relevant to Your Case. Please be totally honest with me about everything I ask you and anything related to your case. Remember, our conversations are protected by attorney-client privilege. Please do not hide any current or past health conditions from me or I cannot take your case or I will withdraw from it. Always be honest.

5. If You Are Involved in Multiple Car Accidents in a Short Time. There are some exceptions to this general rule, so contact me to discuss your particular situation.

6. Cases Where You Have a History of “Moral Turpitude”. Moral turpitude is a legal phrase that basically means crimes involving dishonesty, fraud or deceit, among other things. Character in life and in accident cases is very important. Juries view negatively (don't like) and thus will not give a fair amount of money to a person who has a history of deception.

7. If Another Attorney Has Done Significant Work On Your Serious Injury Case Or Has Received A Valid (usually Written) Settlement Offer For You. In these situations it, as a rule, it is not to your financial benefit for me to be involved because the attorney who has received a large settlement offer usually has the right to claim his attorney fee from that offer.

8. Medical Malpractice Cases. I do not do any “Med Mal” cases, which are cases where a medical doctor, dentist, chiropractor or other doctor may have made a mistake that caused an injury or death. I am happy to refer you to some attorney

colleagues of mine that do Med Mal cases and focus in that area.

9. Worker's Compensation ("Injured at Work") Cases. I do not take cases where a person was injured at work, what are called "WC" or Worker's Compensation cases. I do know attorney colleagues who focus in WC and I would be happy to refer you to them.

10. SSI / Disability

I do not do SSI (Social Security Income) / Disability cases. I am happy to refer you to colleagues of mine that do SSI / Disability.

CHAPTER 21

WHAT PAST CLIENTS SAY ABOUT WORKING WITH ME

My husband was involved in a motor vehicle accident and passed away from the injuries sustained during that accident. I never could have imagined all the ins and outs of dealing with all the insurance companies involved. Thankfully, I didn't have to. My attorney, William Enoch Andrews, handled every detail of my husband's accident.

William Enoch Andrews kept me informed and up to speed on every move being made in my husband's case. His time and dedication to the whole process made it possible for my sons and me to grieve the loss of a father and husband without worrying about anything else. I never could have done this process on my own.

I am forever grateful for William Enoch Andrews, his experience in law and the dedication to his clients.

- April S.

Toole, Utah (2014)

In 2013, I was in a serious motorcycle accident where a car turned left in front of me at an intersection and hit me. I almost died. I had major life injuries and huge medical bills. A friend, who is a doctor, referred me to Attorney William Enoch Andrews to represent me in my injury case. Will did a great job. By the end of the case he felt like a member of the family. I am very pleased with the result.

- Scott T. (Client)
Provo, Utah
Utah County

My husband was seriously injured in a car accident in 2013. I had not used a lawyer before and did not have a good opinion of lawyers. However, Will did great on our case and handled everything. Will communicated with us very well and got a result that was much more than we ever expected. Working with Will has changed my opinion of lawyers.

- Sarah T. (Wife of Client, S. Thompson, above)
Provo, Utah
Utah County

In 2011 I was in a car accident in which I was injured bad enough to require some life-changing medical procedures. After talking to a number of attorneys, I was referred to Attorney William Enoch Andrews. I talked to Will and he took my case. He was very upfront and honest about the process, how long it would take and the likelihood of winning.

Will was also very good about communicating the progress of the case. He helped me get a large amount of money that was enough to change my life.

I really appreciate Will and all he did for me. I have referred a friend who has also been in an accident, with the sure knowledge they will be treated with respect and all diligence. Thank you.

- Robert B.
Utah County

In 2009, I was injured in a car accident. I called one of the big injury law firms that advertises a lot on television, radio, and the Internet, and was told on the phone that I did not have a case. I then contacted another attorney, who did nothing for nine months.

Then a lawyer I knew referred me to Attorney William Enoch Andrews for my injury case. This was now over a year after I was injured in the car accident. Will did great. Will got me the maximum amount of money available from two insurance policies, which was a large amount of money.

I was very happy with the work Will did on my case and I have referred many people to him over the years. Will is not only my injury lawyer, Will has also become my friend.

- Ken G.
West Valley City, Utah
Salt Lake County

William Enoch Andrews, Injury Lawyer exemplifies the best characteristics of what an injury lawyer should possess. Mr. William Enoch Andrews is a true professional, always optimistic, and very savvy when dealing with the law.

In my particular situation, it took over two and a half years to resolve my case and it was made known to me it was one of the most difficult that he had ever encountered. Yet, Mr. Andrews never wavered and always showed a level of optimism that the deal would get done.

In all of my communications with William Enoch Andrews while going through my medical treatments, he showed true compassion and concern for my well-being. Mr. William Enoch Andrews is not there to just collect a check but to ensure that you are taken care of as an individual all the way through your recovery.

The staff at William Enoch Andrews Injury Lawyer is very receptive, friendly and helpful; and mirror Mr. Andrews' philosophy in how he addresses his clients.

I cannot personally thank William Enoch Andrews enough for the battle he fought on my behalf and for the successful resolution to my case.

- James B.
Sandy, Utah
Salt Lake County

I got in a car accident and got hurt in March 2014. Given the circumstances, I thought that I needed a lawyer. I was referred to William Enoch Andrews by my friend's husband.

Mr. William Enoch Andrews worked diligently on my car accident case for 1 year and 3 months to go after the other side. The car accident that injured me was 100% the other side's fault.

After working with William Enoch Andrews, I was able to get a very good result for my case and learn a lot from him. I learned a lot about car insurance, what coverage I need, and what insurance companies don't want you to know about.

William Enoch Andrews was very honest and helpful. I would refer William Enoch Andrews to all the people that I know.

Thank you very much for everything you did for me Mr. Andrews.

- T. Williams
Salt Lake City, Utah
Utah County

CHAPTER 22

LEARN TO LAUGH

THE POWER AND IMPORTANCE OF GOOD HUMOR

FUNNY TIES

I wear funny ties including Goofy, Tigger, M&Ms, Superman, Incredible Hulk, Bugs Bunny, and others.

I like wearing funny ties because they remind me to laugh and lighten up during the workday; and because my wife and children like them and buy them for me. Great!

I enjoy wearing funny ties because I figure since I am an injury lawyer and have to “look the part” and wear a tie, I am going to have some fun with it!

I like wearing funny ties because it “breaks the ice” with people before they even meet me and lets them know I am friendly and approachable. In fact, I had a potential client say to me “When I saw your funny tie I knew I could talk to you, even though you are an attorney, because of your funny tie. I knew you were a nice man.” Cool!

“TOP 10” FUNNY THINGS PEOPLE WHO HAVE BEEN IN CAR ACCIDENTS HAVE SAID

*The quotes below are meant in good humor, not to make light of anyone being harmed in a car accident in any way. None of the quotes are from any past or current clients of mine. I found these funny quotes and the LEGO Video on the Internet and thought it would be fun to add them to my injury book to lighten it up.

#10. “When I could not avoid a collision, I stepped on the gas and crashed into the other car.”

#9. “A pedestrian hit me and went under my car.”

#8. “In my attempt to kill a fly, I drove into a telephone pole.”

#7. “The pedestrian had no idea which direction to go, so I ran over him.”

#6. “*I had been driving for 40 years when I fell asleep at the wheel and had an accident.*”

-That’s a very long time to be driving, no wonder the person fell asleep.

#5. “*The telephone pole was approaching fast. I was attempting to swerve out of its path when it struck my front end.*”

#4. “To avoid hitting the bumper of the car in front, I struck the pedestrian.”

#3. “I pulled away from the side of the road, glanced at my mother-in-law, and headed over the embankment.”

#2. “The guy was all over the road. I had to swerve a number of times before I hit him.”

#1. “An *invisible car* came out of nowhere, struck my vehicle, and vanished.”

LINK TO A FUNNY LEGO VIDEO

If you think *you're* having a bad day, watch this funny video below; you are probably having a much better day than the little LEGO guy.

A Funny LEGO Car Accident Video on YouTube:

<http://www.youtube.com/watch?v=FjqihVUV6co>

INJURY LAW FIRM CONTACT INFO



William Enoch Andrews
I N J U R Y L A W Y E R

Phone: 801-322-HURT (4878)

Fax: 801-757-7740

Email: William@WilliamEnochAndrews.com
or injurylawyerutah@icloud.com

WA



**WRONG TURNS THAT WILL
WRECK**
YOUR UTAH CAR ACCIDENT CASE
AND HOW TO PREVENT THEM

YOU ARE SERIOUSLY INJURED IN A CAR ACCIDENT, OR LOST A LOVED ONE. WHAT DO YOU DO NOW? HOW DO YOU GET:

- The medical care you need?
- Your healthcare bills paid for?
- An attorney without having to pay a retainer?
- A fair amount of money for your injuries or loss?

Utah Injury Attorney William Enoch Andrews represents people who have been seriously injured or lost a loved one in a car accident and helps you through this hard time with integrity, compassion and excellence. In his book, Mr. Andrews explains what a person injured in a Car, Trucking, Bicycle, Pedestrian or Motorcycle Accident *should* do and *should not* do. Attorney Andrews illuminates why it is urgent and important for you to immediately get an injury lawyer to represent you in your accident case.



William Enoch Andrews, ESQ is a personal injury lawyer in Salt Lake City, Utah focusing in serious injury and wrongful death cases from vehicle accidents including Car, Trucking, Bicycle, Pedestrian and Motorcycle Accidents throughout all of Utah.

William, his wife, Megan, and their six children, Sasha, Seth, Adelynn, Audrey, Noah and Brielle, live in Utah.



William Enoch Andrews
INJURY LAWYER

Email: William@WilliamEnochAndrews.com

or injurylawyerutah@icloud.com

Phone: 801.322.HURT (4878) | **Fax:** 801.757.7740

WA

WORD ASSOCIATION
PUBLISHERS

www.wordassociation.com
1.800.827.7903
Tarentum, Pennsylvania

\$16.95

