

## The Road To Justice Starts Here

Accidental Injury | Wrongful Death | Insurance | Wills/Probate

## contingency fee

## WHAT IT IS, WHY IT'S IMPORTANT

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Did you know?

A question that runs through people's minds when they are thinking about hiring a lawyer is, "How will I pay for it all?" The answer for most personal injury and medical malpractice cases is the contingency fee system.



With this arrangement, rather than pay a flat or hourly rate to the attorney, the client agrees to pay the attorney a percentage of any recovery in the case. Usually that fee ranges from 25% to 45% of the recovery in the case. That doesn't mean, however, that you won't have to pay anything to the lawyer as the case moves along. In every case, there are costs.

For instance, someone must pay for the medical records, trial exhibits and meetings with doctors. In most cases, the client pays for the costs as they are incurred by the attorney. In our office, we handle costs on a case-by-case basis. Some of our catastrophically injured clients are in no position to advance costs and we understand this.

So, how does the contingent fee system impact the client?

First, it means that most lawyers are going to assess the risks of accepting a case carefully. Contrary to what you may hear in the media, the fact that a lawyer is going to be paid a percentage of any recovery actually discourages frivolous litigation. No lawyer in his right mind is going to take on a frivolous case and then work hundreds of hours on it for ZERO payment.

For the client, the contingency fee is often the key to the courthouse. Because there is risk sharing, you can have a very experienced attorney represent you and not have to worry about the bill for legal fees. ■

# DOES YOUR COLLEGE STUDENT HAVE ENOUGH health insurance?

With many college students returning to school this month - and others just starting - this is a good time to review the health insurance coverage of students in your family. Even though students are typically healthy and basic college health coverage is usually enough, basic student coverage won't cover big medical expenses that can occur.



Some students have health insurance under a parent's employer, but as a result of rising insurance costs, many parents are opting instead to use the school's health coverage, which is not always a good idea. A college health plan can cost \$1,000 and have limited coverage. With only a college plan, students and parents are vulnerable for huge costs in the case of a serious illness or accident.

At Rutgers University, the maximum was raised from \$50,000 to at least \$100,000 after finding that several students exceeded the old maximum each year. Representatives for the plan say it is enough for most student illnesses, but not enough for all illnesses or injuries. When considering a student health plan, parents should read the terms of coverage carefully.

A student at Ross University was on the university's \$100,000 maximum plan. But the per-day cap for hospital room, board and miscellaneous expenses was only \$2,500 per day. That turned out to be much less than the \$24,098 the student was charged for a 48-hour hospital stay and treatment.

Colleges and universities look for student health plans that are affordable. Buying their health insurance, however, can be a big gamble for the student and the student's family. ■

## RECENT PRODUCT recalls

*Despite advancements in overall consumer product safety, there are still many products that we use in our everyday lives that can cause serious injuries. Our firm believes very strongly that public awareness of potentially dangerous products can go a long way towards preventing injuries or harm. To help in that regard, here are a few recent product recalls announced by the U.S. Consumer Product Safety Commission (CPSC). For a complete list of recalls, as well as tips and information on how to help keep your family safe, please visit [www.cpsc.gov](http://www.cpsc.gov).*

Salomon USA of Ogden, Utah, is voluntarily recalling about 10,000 **Alpine Ski Bindings**. The toe component of the ski bindings could fail to fully secure the ski boot to the ski binding, causing the binding to release unexpectedly. This could cause the skier to lose control or fall and suffer injuries.

Grand World Inc. of Maspeth, N.Y., is voluntarily recalling about 641,000 **"Bobby Chupete" Pacifiers**. The pacifiers fail to meet federal safety standards. The pacifier mouth guard is too small, posing a choking hazard to infants and toddlers.

Maclaren USA, Inc. of South Norwalk, Conn., is voluntarily recalling about one million **Maclaren Strollers**. The stroller's hinge mechanism poses a fingertip amputation and laceration hazard to the child when the consumer is unfolding/opening the stroller.

Samsung Electronics America Inc. of Ridgefield Park, N.J., is voluntarily recalling about 43,000 **Samsung Over-the-Range Microwave Ovens**. If an installation bolt comes in contact with an electrical component inside the unit, and the microwave is plugged into an ungrounded outlet, it could create a shock hazard. ■

## CAN FACEBOOK

# ruin your case?

*Popular social media site can be a real headache if you're not careful*

With around 350 million users, Facebook is undoubtedly the most popular social media site in the world. But if you're in the midst of a personal injury claim, information, posts and photos on sites like Facebook can actually ruin your case. How? Consider this:



- Photos posted by your friends can be viewed by people outside your network of “friends” despite your privacy settings.
- Courts have ordered injured plaintiffs to produce their Facebook pages to insurance company lawyers.
- Evidence from Facebook has been admitted in courts and has been used by police, investigators, and media.
- Law clerks for insurance defense lawyers check Facebook for their opponents’ pages, profiles, and pictures.
- ✓ Check your privacy settings and see if you can block certain people from being able to see that you are even on the site (Facebook allows this). Go ahead and block the insurance company lawyers and their clerks.
- ✓ Search for your name in the search field and review the information that comes up to make sure it’s acceptable. Do the same thing for sites like Google and YouTube as well.
- ✓ Never accept friend requests or respond to emails through social media sites from people you do not know.

So what steps can you take to help protect yourself?

- ✓ Critically review the photos and posts on your social media sites and remove anything that you wouldn’t want the insurance company lawyer to see.

While the above steps are not foolproof, they will make it less likely that your personal information ends up in the wrong hands. ■

### If you file a lawsuit on my behalf, will the case go to trial?

Probably not. Most of the cases our firm handles do not end up going to trial. However, it is important to note that we prepare and handle each case as if it may end up being necessary to go to trial to obtain fair compensation for our clients. Our attorneys have participated in many jury trials over the years, and we understand that a trial is sometimes the only recourse when insurance companies have acted in bad faith or fail to live up to their obligations. ■

## FAQ



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COULD FACEBOOK RUIN  
YOUR CASE? **SEE INSIDE.**

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# did you know?

The Alzheimer's Association is helping care givers track their loved ones when they walk or drive by adapting technology that was initially developed for monitoring prisoners.

Using a Web-based mapping system in conjunction with a transmitter, families can be alerted when a loved one goes beyond certain virtual boundaries each family can set.

More than 5 million Americans are estimated to have Alzheimer's, and upwards of half of those are in the disease's early stages. Because of increasingly early diagnosis, many patients have years of independent living ahead of them before they would have to give up their car or stop going out alone.

alzheimer's  association®

the compassion to care, the leadership to conquer

Nearly 60 percent of Alzheimer's patients eventually begin what's called wandering, creating a need for a greater supervision to ensure their safety. While the tracking will not replace in-person supervision, it can help a person maintain their independence and dignity.

For more information on the program, which is known as Comfort Zone, please visit the Alzheimer's Association website at [www.alz.org](http://www.alz.org). ■

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