



Client Advisory

Important News & Information For Current Davis Law Group Clients

IN THIS ISSUE

-Personal Injury Protection Coverage

Page 1

-Subrogation: A User's Guide For Your Personal Injury Accident Case

Page 1 & 2

-Treatment Status Updates

Page 3

-Following Doctor's Orders

Page 3

-News Coverage of Your Case

Page 3

-Your Legal Team

Page 4

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The *Client Advisory* is designed to offer clients **important information and reminders** that are relevant to the management of their case. We want to help you understand the legal process and work together to maximize the value of your claim. Every case is different. Contact our office if you have specific questions about your case. The *Client Advisory* is sent to only those **Davis Law Group** clients that have a current, active personal injury or wrongful death claim. Once your case is completely closed you will no longer receive the *Client Advisory*. If you have any questions about or suggestions for this publication, please contact Mischelle Weedman-Davis, Director of Client Relations and Operations.

IMPORTANT REMINDERS FOR ALL CURRENT CLIENTS:

INSURANCE: PERSONAL INJURY PROTECTION COVERAGE

Also known as "no-fault insurance," Personal Injury Protection (PIP) is an extension of auto insurance that covers your medical expenses, lost wages, and other damages. Though in some states PIP is mandatory, it isn't available in others. You should know that Washington State law allows a pedestrian who is injured by a motorist to recover medical and wage loss benefits under that driver's PIP coverage, regardless of who was at fault for the accident. Washington law states that as an injured pedestrian, you are entitled to the at-fault driver's no-fault PIP coverage, if it exists. ■

SUBROGATION: A USER'S GUIDE FOR YOUR PERSONAL INJURY ACCIDENT CASE

In an ideal world, the victim of a motor vehicle collision or other type of accident will have health insurance coverage in addition to their auto insurance policy, which should also include Personal Injury Protection (PIP) coverage.

These forms of coverage will ensure that an accident victim does not have to pay for his or her medical expenses out of pocket while a personal injury claim is being pursued.

The accident victim's PIP coverage and health insurance plan – assuming they have adequate coverage – the insurance companies should be able to cover his or her medical expenses while they receive treatment and their attorney negotiates a potential settlement.

But claimants often are surprised at the conclusion of their claim that they must pay

back the money that the insurance company provided to cover the medical expenses in the first place.

The reason a person pays monthly premiums for auto insurance or health insurance is to ensure coverage for medical bills and other expenses in the event of an accident.

In some cases, insurance will cover the costs of medical treatment and other expenses and that's all there is to it. But if a claimant receives a third-party settlement or verdict award through the representation of an attorney, the company who paid for the victim's expenses in the first place is expected to be reimbursed for those costs.

It's really all about liability and which party should be held financially responsible for the damages that resulted from an accident. In a typical car accident, the insurance company of the at-fault driver who causes property damage and/or personal injury to another person or party is expected to cover those damages to the extent of the insurance policy.

But when an insurance company covers damages for its own insured in an accident where another party was determined to be at fault, they see that as something they shouldn't ultimately be responsible for paying. As a result, a portion of the third-party settlement or verdict that is eventually paid to the claimant is expected to be used to reimburse the insurance company who paid for expenses at the beginning.

Many personal injury claimants are surprised when they find out that their own health or auto insurance provider expects to be reimbursed for covering their medical expenses after an accident in which another party was at fault. It makes sense if you think about it – they agree to cover your financial liability if you cause an accident, but if another person or entity is at fault then they don't feel they should have to pay for that person or entity's negligence.

And when a third-party insurance company provides financial compensation to an accident victim, part of that compensation is meant to cover the medical expenses that were incurred following the accident. Since the victim had health and auto insurance to cover these expenses, they likely didn't have to pay anything out of pocket for their bills. This makes the subrogation process even more sensible, as the claimant isn't losing out on any money since they never had to pay for anything in the first place. ■



February Calendar

Burn Awareness Week, February 1-7th

Burn Awareness Week is sponsored by the American Burn Association and provides information relating to scalding and burn injuries. For more information visit ameriburn.org.

African-American History Month

In observance of Black History Month **Davis Law Group** recognizes the work of just a few historical and contemporary African-American lawyers in the US. Visit our website to read all about these historic legal figures.



IMPORTANT REMINDERS FOR ALL CURRENT CLIENTS:

Treatment Status Updates

It is very important that you keep us advised of your medical treatment. Every six weeks or so we will need to know:

- Are you still attending regularly scheduled medical appointments? Have you had any appointments recently?
- Has your medical provider changed your treatment plan? Have you missed any appointments?
- Is your medical provider ordering more tests or specialized treatment? Have you been referred to another doctor?
- Has your condition changed? Are you feeling better? Are you feeling worse?

In order to keep our office informed of your treatment status please call or email the paralegal that is currently managing your case to give us regular updates. ■

Following Doctor's Orders

Make sure you follow all of your doctor's instructions and recommendations! This cannot be stressed enough. For example, if your doctor recommends physical therapy, and you fail to follow up, or you skip several appointments, the insurance adjustor and defense attorney will use this against you. The typical argument is that you could not have been that seriously injured, or suffering that much, when you refuse to follow your own doctor's instructions. Skipping or continuing medical appointments at an excessive rate will also make you appear uncooperative or not motivated to get well. All of these facts can seriously and irreparably damage the value of your claim. ■

IMPORTANT REMINDERS FOR ALL CURRENT CLIENTS:

News Coverage Of Your Case



Your statements to the news media may have an impact on your legal case and/or shape the public's perception of the case. Saying the wrong things to media can damage the case.

If you are contacted by a member of the media (radio, TV, newspaper, blogs, etc.) and asked to comment on your case and/or the circumstances of the accident please do not answer any questions. If you are contacted by the media, get the name(s) of the person, the station or publication, and the contact information of the reporter or producer. Let the person know that "this is not a good time" and that you will contact them very shortly. Then **immediately contact our office**.

Mr. Davis will determine if it is the right time to talk to the press, if this media opportunity or outlet is right for your story, and help coach you on what to say and not to say. Whenever possible Mr. Davis or a representative from our office should be with you during a media interview to make sure nothing is said that may negatively impact the case. ■

IMPORTANT REMINDERS FOR ALL CURRENT CLIENTS:

Your Legal Team



In order to get the best possible result in your case **Davis Law Group** has a team approach to case management. A great baseball team that has a coach, pitcher, catcher, in-fielders, and outfielders and the actual players on the field may change as the game progresses. A great law firm has attorneys, paralegals, legal assistants and support staff and, depending on the stage of your

case, the team members that you work with regularly may change. You should know that staff changes that Mr. Davis may make to your personal legal team are designed to provide you with best legal service and to create the best possible outcome for your case. ■

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