



DLG News

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Davis Law Group, P.S.

Our Mission is to Level the Playing Field Between Accident Victims and Insurance Companies.

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We Appreciate Your Referrals

Buying Car Insurance In Washington State

Many states have laws that require motorists to purchase a minimum amount of automobile liability insurance. In Washington State, a motorist must purchase a liability policy with minimum coverage of at least \$25,000 per person and \$50,000 per occurrence. The amount of your liability coverage is the maximum amount of coverage to pay for damages that you cause another.

A policy that has coverage of \$25,000/\$50,000 is the minimum amount necessary before you can legally operate a motor vehicle in Washington. The "per person" limit means that the most money any one person can recover from the carrier for damages caused by a single accident is \$25,000. The "per occurrence" limit means that the most money the insurance company will pay out for any one accident (or "occurrence") is \$50,000. So if you had a "minimum limits" policy and you cause an accident, the most your insurance company will pay to any one person is \$25,000. If the accident injured several people, your company will pay no more than \$50,000 total even if the combined value of the claims exceeds \$50,000.

In Washington, an automobile insurance carrier must offer other specific types of coverage on your auto policy. One of these types of coverage is called Personal Injury Protection (PIP). PIP is considered no-fault coverage that pays for medical treatment, lost wages and charges for reasonable domestic services that were incurred as a result of an accident. The term "no-fault" means that PIP coverage is available to anyone injured in an accident, regardless of who was at fault for causing the accident. PIP coverage is designed to pay for your past medical charges and lost wages in a timely fashion, so people do not have to wait to settle their accident claim. You can reject PIP coverage, but your rejection must be recorded in writing. If you reject PIP coverage, but your rejection is not recorded in writing your insur-

ance company may still be required to pay you PIP benefits.

Another type of coverage that must be offered by the insurance company is called Uninsured/Underinsured

Motorist (UIM) coverage. The purpose of UIM coverage is to compensate you for damages caused by an uninsured motorist or by a motorist who does not have enough insurance to fully compensate you for your damages. Just like PIP coverage, the insurance company must offer you UIM coverage unless you reject this coverage in writing. Your UIM coverage will equal the amount of your liability coverage unless you specify in writing a different amount. Statistics show that most accidents are caused by people who are uninsured or who don't carry enough automobile liability insurance. Therefore, you should

always purchase as much UIM coverage as you can afford.

When the other driver has no insurance or not enough insurance

Many times an accident is caused by someone who either has no insurance or not enough insurance to pay for all of the damages. If you find yourself



A policy that has coverage of \$25,000/\$50,000 is the minimum amount necessary before you can legally operate a motor vehicle in Washington.

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For more articles, reports, studies, videos, news, and commentary on these and other legal matters...

Visit our web site at www.InjuryTrialLawyer.com

Kids, Car Accidents and Injuries

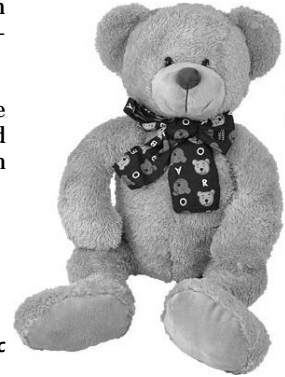
It's well known that kids are resilient and that they heal quickly. What is not well known is that children are just as or more likely to get hurt in car accidents than adults.

For example, a study published in the Journal of Trauma stated that children involved in motor vehicle crashes are at high risk for low back injuries and that low back x-rays are necessary in all cases with suspected low back injuries. Another study in Pediatric Emergency Care found that younger children sustained more severe injuries than older children.

There doesn't even have to be a crash or impact for children to get injured or hurt while riding in cars. Non-crash events such as sudden stops, swerves, turns and movement of unrestrained children can all cause kids to get injured.

What makes it even more important to have children checked after an accident is the wide range of symptoms that children can display. Fever, loss of appetite, sleeping problems, unbalanced movement patterns and a change in their posture are all possible in addition to the more common neck and back pains.

Kids and chiropractic fit together naturally. Their health needs to be taken seriously when they are in the car when the unexpected happens. ♦



A DLG Guest Article by Rob Plunkett, D.C. Dr. Plunkett practices chiropractic medicine at Vitality Chiropractic located at 2419 NW Market St. in Ballard. (206) 297-2792

Buying Car Insurance in WA State *cont*

in this situation, you may have a claim against your own insurance company for Uninsured or Underinsured Motorist (UIM) benefits. If you have UIM coverage, then your insurance company must pay for all of the damages caused by the at-fault driver up to the policy maximum. Many people make the mistake of assuming that a UIM claim is easier to settle or resolve because they are dealing with their own insurance company. This simply is not true. The law allows your insurance company to assert all defenses which were available to the at-fault driver. For example, if there's a question about whether the other driver was 100% at fault, then your own insurance company may try to argue that you or someone else was partially at fault and then reduce the amount of your claim accordingly. You need to know that if you pursue a UIM claim, it does not matter to your insurance company that you have been a loyal customer for twenty years or that you have never before had to make a claim. What matters to your carrier is paying out little as possible. Therefore, you may benefit from the services of a personal injury attorney even if you are pursuing a claim against your own insurance company.

Should I apply for benefits under my own insurance policy?

If you've been injured by another person and you have PIP or UIM coverage, it is usually worthwhile to file a claim with your own insurance company. In Washington there are special rules and regulations that apply to PIP and UIM claims. These rules and regulations can offer special protections to you. They can also give your insurance company special rights, like forcing you to attend an involuntary medical examination by a doctor of their own choosing. Sometimes insurance companies either ignore or intentionally violate these regulations in an effort to save the company money. So you may want to consult with an experienced personal injury lawyer if you have any questions, or if you are having problems with your own insurance company paying these types of benefits.

Does My Own Insurance Company Have to Be Reimbursed?

If your medical bills were paid by health insurance, or by PIP, then you

need to be aware that the carrier may assert a claim for reimbursement out of your personal injury recovery. Why is this so? Because most policies now have what are called "subrogation" or "reimbursement" provisions that require you to pay back any benefits you receive. Your "insurance" really becomes just a "loan." This may not seem fair, but it's perfectly legal. I have handled cases where the client's own insurance company has attempted to take nearly the entire personal injury settlement as "reimbursement" for the benefits already paid! However, the law allows certain defenses and exceptions to this type of claim which may entitle you to pay back only a small portion or nothing at all. If you are faced with this situation from your own insurance company, you really do need to speak to an experienced personal injury attorney about your rights. ♦

Safety Calendar

Motorcycle Safety
Awareness Month

National Beach Safety Week
May 19th -26th

National Safe Boating Week
May 17th—24th



The Ten Biggest Mistakes That Can Wreck Your Washington Accident Case by Christopher M. Davis
It's FREE as a public service to injured WA citizens! Get your copy today by visiting www.WashingtonAccidentBook.com

Germany Trip

In late April I had to travel to Germany for a case that is scheduled to go to trial in mid-May. The case involves a German oral surgeon who was seriously injured while visiting the United States. I'll share more details on the case after the trial in a future newsletter.

During our visit I had a very busy week interviewing and deposing witnesses, healthcare providers, etc.

My wife and our 3 year-old son Jackson came along. My ten year-old daughter Hannah could not come with us as the trip was scheduled for the same week as the WASL exams.

My in-laws also joined us to help take care of Jackson. My father-in-law, a retired Army colonel, was stationed in the Stuttgart area in the 1960s and speaks German.

He and my mother-in-law, who taught school on American military bases, really know the area and helped us to make the most of what little time we had for sightseeing.

In a few short days we managed to visit: Tubigin, Rothenburg, Ludwigsburg, and Heidelberg.

Tubigin and Rothenburg are small picturesque Bavarian towns. We enjoyed walking the streets and taking in the local flavor and trying some local food.

Ludwigsburg is home to one of the best preserved Baroque palaces in the world—my wife took the tour twice. And Heidelberg, my personal favorite, features the ruins of a great castle fort which overlooks the town.

We truly enjoyed our visit. ♦

Safe Driving: How Germany Compares to the US

As a car accident attorney, I couldn't help but pay special attention to the differences between US and German road rules and accident statistics.

One thing that my wife instantly noticed is that trucks (delivery trucks, semi trucks, etc) in Germany are restricted to the right lane of the highway. Car traffic can move quickly and safely in the remaining lanes. It is also interesting to note that Germany has highway speed limits for trucks that are substantially lower than the limits for cars.

It is also illegal to pass on the right on German streets and highways. Slow moving vehicles must always move to the right, and faster vehicles may pass on the left only. The right lane must be used when it is free, and the left lane is generally intended for passing maneuvers only.

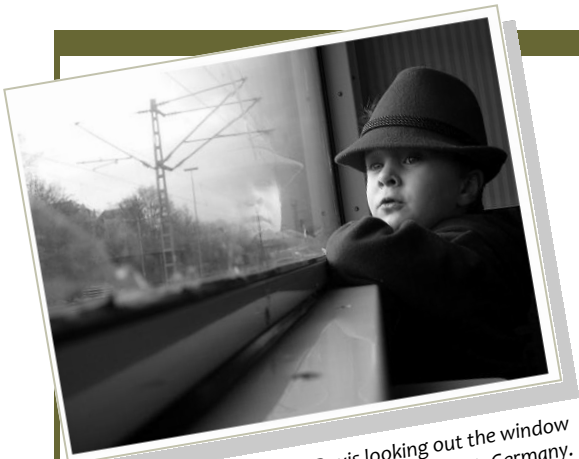
Drivers using the left lane when the other lanes are free can be ticketed/fined. Passing on the right is strictly forbidden, except in traffic jams where it may be practiced with caution. Not allowing faster cars to pass your car if the traffic situation allows it is also forbidden.

It is unlawful for a driver to stop their vehicle on the road for any reason except in an emergency or situations where stopping is unavoidable, such as being involved in a car accident. Running out of gas is considered preventable and can be rewarded with a ticket/fine.

By the way, we have many of the same rules or law in the US....they just aren't enforced. ♦



Chris & Jackson enjoy the view of Heidelberg from the castle.



Little Jackson Davis looking out the window during a train ride in Stuttgart, Germany.

Trains, Planes, and German Automobiles

For three year-old Jackson Davis the best part about Daddy having a client in Germany is getting to ride a plane to get there and riding trains during the visit. Jackson is fascinated by “things that go” and planes and trains are at the top of the list. On the trip to and from Germany Jackson talked endlessly about planes going up in the sky, people eating and sleeping on the plane, and the pilot flying the plane.

And while Daddy worked hard on the case each day, Jackson got to ride the train on sightseeing trips with grandpa and grandma. He was amazed at how trains are everywhere you go and how fast they can go. He also thought it was fun for grandpa to drive the car fast on the German Autobahn. His mom was less than thrilled about that one.

Everywhere he went Jackson was the center of attention in his little “Lodin Hut” which is the traditional alpine Bavarian hat. ♦

Honesty Is The Best Policy

It doesn't matter how good your case is, if you lie or omit information about past injuries, accidents, treatment, etc. the truth will eventually come out and your case will be permanently damaged.

Remember, the insurance companies have access to vast databases about your private life, including past lawsuits, claims and injuries.

Honesty is the best policy. Tell your lawyer all about past injuries, claims, treatment, etc. Then he can deal with it.

The worst thing is for your lawyer to be the last one to know. ♦



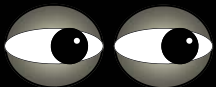
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***Our Mission is to
Level the Playing Field
Between
Accident Victims and
Insurance Companies!***

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Unlike other firms that send clients, associates, and friends an impersonal newsletter that has been created by a service, our newsletter is **100% home-grown**. It is written and designed in-house—by us! We care enough to send you the **REAL DEAL!**

