



The
**CZACK
LAW FIRM**
Right Firm • Right Time • Right Result



Friends of the Firm
Newsletter

Fall 2018

Being the best legal advocate possible oftentimes requires a lawyer to think "outside the box" to help a client with a complicated legal situation. We will be sharing some of these very gratifying instances with you in our biyearly Czack Law Newsletter in a column we call **Outside the Box**.

OUTSIDE THE BOX

Our client was seriously injured as a result of a physician's medical negligence. We found that the physician and staff were wholly unqualified and lacked the training to do the procedure which caused our client's serious injuries. Unfortunately, the doctor's malpractice insurance coverage limits were totally inadequate to compensate our client for the resulting deformities and damages. Faced with this situation, we had to get creative and think outside the box.

After significant investigation and research by our firm, and with the assistance of our client, we discovered that our client's health insurance company not only highly recommended this physician for the procedure, but also claimed to have vetted the doctor and the staff regularly to ensure quality care was being offered by him and his staff. This provided us with the legal grounds to sue the health insurer for breach of contract and negligence, and ultimately allowed us to get the monetary recovery our client needed and deserved!



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*We take your
family's safety
and security
personally.*

Feeling Lost in Legal Speak?

The words *loss* and *damages* are thrown around a lot by personal injury attorneys. Aside from medical bills, you may be able to recover much more if you have suffered losses and damages in an accident. Here is just some of what is included in the terms *loss* and *damages*:

- **LOSS OF INCOME AND COMPENSATION**

If you've been injured in an accident that causes you to miss work, you have a right to ask to be compensated for those losses. You can recover lost wages (income) and other forms of compensation that you had to use due to the accident (sick days, personal days, etc.). Loss of compensation also includes bonuses and other incentives that you would likely have received had you not been injured.

- **LOST FUTURE EARNING CAPACITY**

If you have a long-term or permanent disability as a result of the accident, you can claim the income you could have earned had you not been injured. Likewise, if you find that you must switch jobs and earn less money as a result, you can claim the loss.

- **LOSS OF CONSORTIUM**

If an accident causes you to lose the ability to be intimate with your spouse, enjoy time with your family, or enjoy life in general, you can sue for loss of consortium.

- **PROPERTY DAMAGE**

Any personal property that was damaged in an accident can be claimed.

- **PAIN AND SUFFERING**

If you or a loved one sustains catastrophic injuries from an accident, you may receive compensation for pain and suffering.

**If you have a question
about an accident or
wrongful death, call
The Czack Law Firm
at 216-696-9216
for a free consultation.**



Be a Monday Morning Quarterback When Buying Car Insurance (Learn from the Regrets of Others)

You just got rear-ended while stopped in rush-hour traffic. The other driver admits to having no insurance. Your mind races, frantically trying to remember if you actually dropped your collision coverage as you had planned. After all, you're always hearing and reading that to lower your auto premiums, you should consider dropping collision coverage in certain situations.

At the scene you also start feeling lousy. You wonder what your final answer was when your insurance agent asked you a couple months ago if you wanted uninsured motorist coverage on your policy and in what limits. These are just a couple of the post-crash insurance thoughts that haunt people on a regular basis. I use the word "haunt" because we see real-life horror stories every day at **The Czack Law Firm** when we meet with potential new clients who never realized how lacking or insufficient their auto insurance policy really was until they actually needed it after an accident.

You see, it's not until you or a family member is involved in a crash that the verdict on what insurance coverage you've purchased comes in. Too often that verdict is not good, and there are two main reasons why.

First, many people buy auto insurance based solely on bottom-line price. This is not a good idea because the different coverages which protect you are just as important.

Second, coverage options and the limits available for you to choose from in each coverage category are intimidating. You have to take the time to study what it is you're considering purchasing or dropping **before** you make the decision. If you need help, do not hesitate to ask your agent. Keep asking questions until you understand, or call us at **216-696-9216**.

On the Hunt? STAY SAFE!

In many parts of the United States, fall is hunting season. Because it requires a weapon and split-second reactions, hunting is inherently dangerous. Despite following all safety rules, hundreds of "accidents" occur.

Hunters are accidentally shot by their own weapon or that of another hunter. If you are injured by another hunter, that person can be held liable for your injuries under certain circumstances. If the person is not licensed to hunt or not following legal restrictions, didn't use their firearm safely, or failed to act in a reasonable and safe manner while hunting, he or she may be considered negligent. Hunting accidents are typically covered by a homeowner's policy.

If you are a hunter, you should contact your insurance company to make sure you are covered in case of an accident.

Also, if a manufacturing error or design defect causes a weapon to misfire, a product defect may be involved. Twisted ankles and broken limbs—or even death—can occur while trekking on properties that are poorly maintained. If a property owner allows hunting on their land, they are responsible to provide hunters with safe grounds and buildings.

Infant Slings Can Be a Danger

They are found on almost every mom-to-be's shower registry, and parents love the convenience and closeness of "wearing" their infants while they go about their business. According to the Consumer Product Safety Commission (CPSC), between January 2003 and September 2016, 159 incidents were reported to the CPSC involving sling carriers, including 17 deaths and 67 injuries to infants during use of the product.

In February, the CPSC released new safety standards that manufacturers must follow. Among other things, all infant slings must have permanently attached warning labels and come with instructions, like illustrated diagrams, to show the proper position of a child in the sling.

Warning labels must include statements about:

- The suffocation hazards posed by slings and prevention measures.
- The hazards of children falling out of slings.
- The importance of checking the buckles, snaps, rings, and other hardware to make sure no parts are broken.

The mandatory standard also requires sling carriers to:

- Be able to carry up to three times the manufacturer's maximum recommended weight.
- Be more durable to avoid seam separations, fabric tears, breakage, etc.
- Be able to keep the child being carried from falling out of the sling during normal use.

CPSC safety tips for using infant sling carriers:

- Make sure the infant's face is not covered and is visible at all times to the sling's wearer.
- If nursing the baby in a sling, change the baby's position after feeding so the baby's head is facing up and is clear of the sling and the mother's body.
- It is very important to frequently check the baby in a sling, always making sure nothing is blocking the baby's nose and mouth and that the baby's chin is away from its chest.

Source: cpsc.gov newsroom



Registering to Vote in Ohio

In order to vote in the state of Ohio, you must register to vote before the specified registration deadline for any given election. Registering to vote in Ohio is made simple with a variety of registration options:

- Register at the Ohio Bureau of Motor Vehicles while applying for or renewing your license.
- Register online.
- Register by mail.

Per voter registration guidelines, you must meet the following criteria to register to vote in Ohio:

- Be a U.S. citizen.
- Be at least 18 years old on or before Election Day.
- Be an Ohio resident for at least 30 days.
- NOT be imprisoned for a felony conviction.*
- NOT be declared incompetent to vote by a probate court.
- NOT be permanently disqualified for violating an election law.

*Your voting rights are restored upon your release from incarceration.

You may be required to re-register to vote.

Visit the Ohio Secretary of State website at www.sos.state.oh.us/elections for online voter or mail-in registration instructions.

NEW CASE REFERRALS

—What Most Law Firms Don't Want You To Know—

It goes without saying that a regular influx of new injury cases is vital to a law firm's existence. Firms get new cases in one of four main ways:

- #1 Paid television or radio advertising
- #2 Internet pay-per-click advertising
- #3 Direct-mail solicitation programs
- #4 Recommendations from current or past clients

As you've heard me say before, #4 is the way **The Czack Law Firm** gets new clients. By building trust and respect through successful and lasting results, our client base continues to refer new cases to the firm. Since its founding, The Czack Law Firm has implemented a strict **"no advertising" policy**. The firm is aggressive in the representation of its own clients and their referrals—not aggressive in its advertising to find new clients. The Czack Law Firm gets new cases and clients the old-fashioned way...by earning them!

Studies consistently show that the most reliable way to find and choose the right professional, such as a doctor, lawyer, or financial advisor, is to get a personal referral from someone who has prior experience with that person or business. I've been able to turn down offers to advertise my firm on TV and radio because of the loyalty and confidence you show in The Czack Law Firm.

I am humbled to tell you that your simple but thoughtful act of giving my name and business card to someone you know who was injured in an accident means so much to me. Sometimes a client will tell me they didn't know if they should refer a new accident case to me because I might already be too busy, or the case might not be big or serious enough for me to be interested. Please understand and know that no case or referral is ever too big or small for us to handle. Just give them my contact information and I'll do the rest!



How to Identify Nursing Home Abuse

Placing a parent or other loved one in a nursing home is hard for every family, and stories about nursing home abuse make it even more frightening.

According to the National Ombudsman Reporting System data, within the year 2014, 7.6 percent of approximately 188,599 complaints reported to Ombudsman programs involved abuse, gross negligence, or exploitation. It is estimated that many cases go unreported. Elder abuse can be physical, sexual, emotional, or come in the form of financial exploitation and theft. In the long-term-care setting, abuse can come at the hands of caregivers, but abuse by other residents is also an issue.

SIGNS OF ELDER ABUSE INCLUDE:

- Bruises, broken bones, abrasions, or burns from abuse or neglect
- Bedsores, unmet medical and hygiene needs, dehydration, weight loss
- Resident displays anxiety around caregivers
- Sudden change in financial situation, including changes in legal documents and large gifts
- Changes in sleeping or eating patterns
- Withdrawal, changes in behavior or alertness, depression

NURSING HOME RESIDENT RIGHTS:

- Private communication
- Independent decision making
- Social, community, and religious participation
- Manage personal finances
- Know medical condition and treatment and accept or refuse medication or treatment

To learn more, visit www.CzackLaw.com and download the *Nursing Home Residents' Rights* article by the National Consumer Voice for Quality Long-Term Care.

If you or a loved one has experienced abuse or exploitation from a caregiver, please contact our office at **216-696-9216** to discuss your rights.

SENDING THE FAMILY CAR TO SCHOOL BE SURE TO INSURE!

As your son or daughter heads back to school, some may be taking that “family vehicle” with them to have on campus. In most households, when the vehicle goes with your student, the car’s permanent address remains the parents’ house. It’s important to know, however, that things can change when the car “permanently” moves when the young adult changes his or her address or stays at school for the school year.

If your student goes out on their own and has a new permanent address, he or she will likely need to purchase a new automobile policy under that new address. Take a few moments to call your insurance agent to discuss the matter. Policy coverages vary widely and it is a smart idea to communicate any

changes to your insurance agent so there are no coverage issues in the event of a claim or accident. This would also be a good time to ask your agent about additional liability coverage if your son or daughter plans to include other students on the ride home and back to campus throughout the year. Ask your agent if an umbrella liability policy would be appropriate.

Also, if your student’s vehicle stays primarily garaged at your home while they are away at school, many insurance companies will provide a premium discount. Call your agent for more information. Always feel free to call **The Czack Law Firm at 216-696-9216** in the event you have questions about your insurance coverages or what your agent has told you.



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Thanks for the referrals!

Back-to-School Pedestrian Safety

Every year around this time, there is a lot of attention on back-to-school safety—mostly aimed at students and parents. According to Safe Kids Worldwide, in the United States 44 kids are hit by cars every day while walking. With more kids on the sidewalks and commuter traffic returning to normal after summer, there is a lot that drivers can do to help keep kids safe.

Back-to-school safety tips for drivers:

- Watch for children on and near the road in the morning and after school hours.
- Slow down and be especially alert in school zones.
- School zones generally have a lower speed limit than surrounding areas. Pay attention and obey the speed limits.
- Enter and exit driveways and alleys slowly and carefully.
- Reduce any distractions inside your car so you can concentrate on the road and your surroundings—no texting.
- It is illegal to pass a school bus that is stopped to pick up or drop off children.
- Traffic is heavier in the city when school is in session. Be sure to allow for extra travel time.
- In a school zone, when a warning flasher or flashers are blinking, you must stop to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or at an intersection with no marked crosswalk.



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Source: press release, City of Worcester, Massachusetts