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Do I Really Need a Lawyer to Handle My Injury Case?

After handling serious personal injury and wrongful death cases for over 30 years, I understand the difficulties and confusion that come with dealing with an insurance company. Basic questions such as who should be paying your medical bills and when can be overwhelming. When a prospective client asks me, "Do I really need a lawyer to handle this case?" I'll take the time to analyze their situation by discussing some of the following important considerations.

INTERESTS

A prospective client calls me because they have **(a) been injured in an accident, (b) have medical expenses and/or lost wages, and/or (c) are wondering if the insurance adjuster who called them is being forthright and truthful in explaining the process and what they should be doing.**

The prospective client has many legitimate concerns and questions about their damaged or totaled vehicle, their current injuries and future physical health, their current and future financial situation, their credit record, their job situation, etc.

The insurance company, on the other hand, has one concern—profits. The bottom line is that the less they pay out on claims, the more money they can make.

Therefore, it's absolutely essential that anyone who has been involved in a crash understands that they and the insurance company have totally different and competing interests, and you're playing in their home stadium—they do this all day, every day.

HIRING AN ATTORNEY

I also explain to prospective clients that I wouldn't have had such a vibrant and active personal injury practice for all these years if insurance companies treated people fairly from the start. From being asked to sign medical releases to wondering who should be paying their medical bills—their own health or automobile insurer or the at-fault party—getting the advice of a qualified personal injury attorney early on helps put you on equal footing with the insurance company. Remember, from the very start, the insurance company is building a case to pay as little as it can.

For example, say you give the insurance adjuster a signed release to obtain your medical records from both before and after your accident. In those records the insurance company may find some vague complaint you made one time to a family doctor 10 years ago about an area of your body that was injured in this crash. You've now unwittingly given the insurance company ammunition to say you had a preexisting condition, which will lower the value of your claim. Simple missteps like this can be avoided by getting an experienced personal injury attorney involved immediately after your accident.

There are also the all-important insurance coverage issues that come into play right from the start of any claim. These issues involve everything from was the at-fault party even insured to what types of coverage and monetary limits apply to your accident.

THE EMOTIONAL ASPECT

Often overlooked is the emotional aspect involved after you've been in a crash.

(continued inside)



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Do I Really Need a Lawyer...

(continued from front)

When you hire an attorney, they become your advocate and you no longer have to speak to and deal with the trained and skilled insurance adjuster. People don't realize the anxiety and stress involved in wondering if you're saying and doing the right thing. Stress affects your physical health and the rate at which you recover from your injuries. Furthermore, your experienced personal injury attorney will guide you through the process and together, as a team, you will make decisions regarding treatment, payment of medical bills, and other important issues that arise in every claim. This allows you to focus on medical treatment with your doctor and get back into your life routines, confident your interests are being protected.

NOT ALL CASES NEED AN ATTORNEY

Many of my colleagues tell me I'm crazy for turning away small or minor cases. Most of these situations involve me explaining to the caller that I don't see any issues or circumstances in which they will be tripped up by the insurance company. Maybe they

only had an urgent-care visit or one trip to their family doctor, and that's it. I'll briefly explain that, while their case is certainly important, the situation is simple enough that they shouldn't encounter any traps from the insurance company. I tell them that this is something they don't need to hire and pay a lawyer for because they can likely handle it on their own. I'll answer any questions they have and give them a simple checklist for what they can do to put together and settle the claim on their own. Finally, I always tell them they can call back with any questions or concerns that may arise. These callers are most thankful for both my advice and honesty in explaining the situation.

IF NECESSARY, WE ARE THERE TO FIGHT

Whether the negligence comes from a truck driver for a multinational trucking company or a texting driver, they must be held accountable for their actions. When someone you love is harmed due to neglect in an assisted living facility or killed by a drunk driver, you need someone with the skill, experience, perseverance, and financial resources to fight for you and your loved ones.

BOTTOM LINE—YOU DESERVE FAIR TREATMENT AND FULL COMPENSATION

In order to receive fair treatment and full compensation for past, current, and future accident-related damages and losses, you have to hire an attorney—that's the bottom line. After all, you expect and demand that your damaged vehicle will be fully repaired; why would you accept anything less for your physical health and financial losses resulting from the same negligent acts?

Have You or a Loved One Been a Victim of a “Never” Event?

What in the world is a “never” event? If you've ever shook your head and thought to yourself, “That should have never happened,” you are familiar with the concept. In the legal realm, never events are mistakes that occur at medical facilities that should never happen.

When medical professionals can't perform due to long hours and working with limited staff, errors that a reasonable medical professional would not make are more likely to occur. Patients may end up with an incorrect diagnosis, the wrong medicine or dose, and worse. It isn't just staff fatigue due to long hours responsible for never events; medical facilities that don't have appropriate administrative and budgetary support can lead to unsafe conditions. For example, a hospital with an insufficient operating budget might cut back on supervisory staff, which impacts both department and individual job performances, and ultimately affects patient care and safety.

Whether it is in a doctor's office, pharmacy, surgery, or emergency room, according to the medical journal *BMJ*, medical errors cause 250,000 fatalities a year and many more injuries. If you or a loved one was injured due to a medical error, call our office for a confidential consultation.

AAA Study Shows That Missing Sleep Doubles Your Risk of Crashing

If you've been looking for a good excuse to get more sleep, you'll be glad to know that a few extra hours of shut-eye could be a lifesaver.

According to a recent AAA Foundation Report, drivers who miss one to two hours of the recommended seven hours of sleep in a 24-hour period nearly double their risk for a crash. The Centers for Disease Control and Prevention says that 35 percent of U.S. drivers sleep less than the recommended seven hours daily. With drowsy driving involved in more than one in five fatal crashes on U.S. roadways each year, AAA warns drivers that getting less than seven hours of sleep may have deadly consequences.

Instead of forcing yourself to stay awake to finish a chore, catch up on email, or watch the news, go to sleep guilt-free—it could save a life!

AAA found that in a 24-hour period, crash risk for sleep-deprived drivers increased steadily compared to drivers who slept the recommended seven hours or more:

- Six to seven hours of sleep: 1.3 times the crash risk
- Five to six hours of sleep: 1.9 times the crash risk
- Four to five hours of sleep: 4.3 times the crash risk
- Less than four hours of sleep: 11.5 times the crash risk

Source: AAA news release

Diabetes Drugs Linked to Bone-Fracture Risk

Two popular type 2 diabetes drugs, Invokamet and Invokana, may lead to bone fracture. The FDA has said that individuals taking these medications could experience decreased bone-mineral density and increased risk of bone fracture. In clinical trials, elderly patients on the drugs experienced bone fracture in as little as 12 weeks after starting treatment.

Data showed that fracture risk was high in the lower spine and hip, and that it occurred most often in postmenopausal women.

Bone-fracture risk joins a long list of risks associated with these drugs, including lower-limb amputation, ketoacidosis, heart attack, and kidney problems. Class-action lawsuits filed in 2017 claim Janssen Pharmaceuticals, the drugs' manufacturer, failed to properly test the medications and failed to provide sufficient warning of these risks.



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ASSAULT VIA SOCIAL MEDIA

Could your computer be considered a deadly weapon? A grand jury in Texas says that it can.

Since the rise of the internet and social media, people have used their computers to bully, stalk, libel, and harass others. But what if you knowingly did something online that resulted in physical injury or death?

It doesn't seem possible, but in 2016 a Maryland man named John Rivello sent a GIF of a strobe light to Kurt Eichenwald, a reporter who he knew had epilepsy and who he disliked for not supporting then President-elect Donald Trump. Rivello tweeted that he hoped the GIF

would send the journalist into a seizure and that he would die. He also changed Eichenwald's Wikipedia page to show a date of death on the day he sent the GIF.

When Eichenwald clicked on the GIF, he did indeed have a seizure. While it did not result in his death, he had difficulty functioning for days, lost feeling in his hands, and had trouble speaking for weeks. Unfortunately, since the incident, Eichenwald has been sent more than 40 more strobe GIFs.

Rivello was arrested for cyberstalking and assault with a deadly weapon. The 40 other cases are being investigated by the FBI.



Truck Accidents on the Rise

According to the Federal Motor Carrier Safety Administration, the number of crashes involving large trucks or buses, after several years of decline, rose 62 percent between 2009 and 2015. The number of large trucks involved in fatal crashes increased 8 percent between 2014 and 2015. The organization cites several reasons for the rise, including increased speed limits, distraction, impairment, and decreased regulations on drivers and cargo.

Other factors include:

- Brake problems
- Traffic flow interruption (congestion, previous crash)
- Prescription drug use
- Traveling too fast for conditions
- Unfamiliarity with roadway

If you or a loved one is injured in an accident involving a large truck, contact an attorney for a confidential consultation.



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USING AN APP TO CATCH A RIDE? *Be Sure to Read the Fine Print*

E-hailing a ride home with a ride-sharing service, such as Uber or Lyft, is easy and incredibly convenient. Jumping into an Uber or Lyft car is much different, however, from hopping into a taxicab. The municipality in which it operates usually regulates a taxi. When you step into a private vehicle summoned with a mobile reservation system, such as an Uber or Lyft car, you automatically agree to a host of terms and conditions by default.

The fine print in Uber's "Terms and Conditions" says that by using its app, you agree it is not responsible for any negligence, accidents, assaults, etc., caused or committed by an Uber driver. Lyft's "Terms of Service" are nearly identical to Uber's in absolving itself of any responsibility to you, the rider.

To learn more, read our *"Using an App to Catch a Ride? Be Sure the Driver Is Covered"* white paper, which exposes important ride-sharing facts that can help keep you safe. Read or download the white paper today at www.CzackLaw.com.

