

# EDWARD R. YOUNG & ASSOCIATES

ATTORNEYS AT LAW

NASSAU ♦ SUFFOLK ♦ BRONX ♦ KINGS (BROOKLYN)

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VOLUME ONE

HIGHLIGHTS OF LEGAL NEWS & INFORMATION



edward r.  
**YOUNG**  
& associates

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## Dear Friends, Neighbors and Clients,

**A**s promised, here is our first newsletter. We hope you find it interesting and helpful. After 30 years serving the community, including 12 as Lindenhurst Village Attorney, it is time to give something back and maybe this information is some small repayment.

We started with an article in a Q & A format with some frequently

asked questions. If you have any specific topic you'd like us to address, please advise. If this has gotten to you in error or you want to be off the mailing list, please let us know that too.

Regards,

*Edward R. Young*

## Personal Injury Q & A

**M**any people who have been in a car or other type of accident call our firm with questions. Here are answers to some of the most often asked ones.

**Q.** *I was in an accident and intend to make a claim. How soon should I see a lawyer?*

**A.** Accident victims should get legal help as soon as possible. One reason why is that there are time limits for making claims. If you wait too long and the deadline passes, you won't be able to make your claim — which means you will have lost the chance to receive money you otherwise might have received.



Another reason why it's vital to get legal help quickly is that delay can hurt your case. As time passes, witnesses' memories fade, evidence gets harder to find and people move. So seeking legal help faster can help your lawyer prepare the strongest case so you get the maximum recovery.

**Q.** *If I make a claim, how long will it take to resolve my case?*

**A.** The answer depends on many things, including the nature of your injuries and how willing the other side is to resolve the matter. Many claims are resolved quickly, while others — sometimes because the extent of the person's damages are

*Continued on page 3*



## AUTO SAFETY

# Tips

### Buckle Up Children Correctly

Car accidents are the top cause of death for children ages 4 to 14. Many deaths can be avoided by properly buckling up children. In fact, nearly half of all children ride in the wrong restraint for their age and size. Here are tips to make sure kids are properly belted when driving.

- **Child safety seats.** The law requires all infants and toddlers to ride in child car seats. Though many do, most of these seats are installed wrong. If you're the parent of a child who rides in a safety seat, be sure the seat is installed and used right. Read the instructions that come with the seat and the car owner's manual to find out how to properly install the seat.
- **Air bags.** Children should never ride in the front seat of a car that has a passenger side air bag. The air bag can inflate with enough force to injure or even kill the child.
- **Booster seats.** Many parents have their children go straight from using child safety seats to adult seat belts. But this is almost always a bad idea, as using adult seat belts too soon can cause injuries.



### Tips For Parents With Teenage Drivers

Learning to drive is one of the best parts of being young. But it is also one of the most dangerous. Car crashes are the leading cause of death for people between the ages 15 and 20.

Parents of teens learning to drive or newly licensed should take special steps to protect them. Here are ways parents can reduce the chance of their teenage children being in a car accident:

- **Don't rely only on driver education.** Good safety attitudes and decision-making skills start at home. Parents should impress on their children the proper attitudes.
- **Restrict night driving by teens.** Night outings tend to be recreational, and teens can be easily distracted or encouraged to take risks.
- **Limit the number of passengers.** Teenage passengers in a car can distract a driver or cause more risk-taking.
- **Choose vehicles for safety.** Teens should drive cars that lower their chances of a crash and give better protection in case of one.
- **Require seat belt use.** Seat belt use is lowest among teenagers. Insist on belts all the time.

## Keep An Emergency Kit In Your Car

According to the government, each year about 1 in 9 people is in a car accident. Car breakdowns are even more common. If you have car trouble or are in an accident, having a well-stocked emergency kit will be a big help and could even save your life. Here are some of the main items you should have in your kit.

- Flares and matches
- Flashlight and extra batteries
- Jumper cables
- Inflated spare tire and jack lug wrench
- WD-40 oil to loosen lug nuts
- Clean rags
- Bottled water
- Small amount of cash and change
- Blankets
- First aid items, including bandages, scissors, latex gloves, tape, and safety pins
- Tire gauge
- Candles and matches
- Local maps
- Screwdriver

Many automotive stores sell already-prepared emergency kits to keep in the trunk of your car. If you prefer, you can make your own kit. Either way, keep an emergency road kit in your car to protect yourself in the event of a car accident or breakdown.

This newsletter is published for the clients and friends of this firm. It has general information. Due to constant changes in the law, exceptions to general rules of law, and variations of state laws, seek professional legal advice before acting on any matter. ©2006 ANSI

## Personal Injury Q & A, *continued from page 1*

not known for a while — take longer. Every effort will be made to resolve your claim quickly, with the goal being to obtain the maximum compensation for you.

**Q.** *I was bitten by a dog. Is the dog's owner liable for my injuries?*

**A.** Maybe. A few states like New York still follow an older rule which says that dog owners are not liable for injuries unless they knew or had reason to know their dog was dangerous. However, most states now follow a modern rule which holds dog owners liable for injuries even if they did not know their dog was dangerous. The sooner we investigate, the better.

**Q.** *What should I do if I am in an auto accident?*

**A.** After calling medical help for anyone injured, write down key information, including: the name, address and phone number of the other driver and witnesses; the other car's make, model, year, license plate and vehicle id number; and the name, address and phone number of the other car's owner (if the driver is not the owner).

Make a diagram of the accident and notes of what happened. Include where and when the accident occurred, the weather and road conditions, the direction each car was going and the circumstances of the accident.

There are some things you should not do if you are in a car accident. Don't discuss the accident with anyone at the scene (you can answer police officers' questions). Also, don't take blame for the accident, even if you think it was your fault. Things you say can be used against you later and hurt your claim. Also, witnesses may

have seen things showing the accident really was not your fault.

**Q.** *I was in a car accident and an insurance adjuster wanted a tape recorded statement from me. What should I do?*

**A.** Your insurance policy may require you to give a tape recorded statement to your own insurance agent or adjuster. But remember that even your own adjuster will be trying to get facts to hurt your claim, and that your statements can be used against you. It's best to have your lawyer present when making your statement so you will be protected.

The other driver's insurance company will likely also try to get a taped statement from you. Here again,

the adjuster will try to get information to hurt your claim. You are not required to give a statement to the other adjuster, and you should not do so before first talking to your lawyer.

**Q.** *I was hurt in an accident and want to make a claim, but I'm concerned about legal fees. How will I be charged?*

**A.** Most personal injury claims are handled on a contingent fee basis. This means there's no fee unless there is a recovery (there may, however, be court and other costs). The fee is a portion of the recovery. Because of contingent fee arrangements, accident victims can make claims for their injuries and losses regardless of how much money they have.

**Q.** *My accident occurred a fairly long time ago. Can I still make a claim?*

**A.** Your claim might be barred by

**Accident victims should get legal help as soon as possible after the accident.**



Our firm receives many new clients as a result of referrals from clients and other friends of our firm. We would like to thank everyone who refers friends and family to our firm. We appreciate the trust and confidence you show in us by making these referrals.

Thank you for recommending us when someone you know needs legal help. We welcome and encourage referrals, and we will strive to provide top quality legal service to everyone you refer.



the "statute of limitations." This is the time limit to start a lawsuit against the person or business liable for your injuries and losses. Statutes of limitations have exceptions, so you should consult your lawyer. There may still be time to make a claim.

**Q.** *I was hurt in an accident. How much am I entitled to recover?*

**A.** The answer depends on several factors, including the type of injury you suffered, how long-lasting and severe your pain is, your medical expenses, and your lost income. Your attorney can evaluate these factors, and then, based on settlements and jury awards in the community for similar injuries,

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## Personal Injury Q & A, *continued from page 3*

estimate how much you might recover.

**Q.** *What happens if my pre-existing health problems made my injuries more likely or worse?*

**A.** This should not affect your recovery. For example, suppose you have a bad knee and you slip on an unsafe floor in a market. Just because you have a bad knee will not affect the market's obligation to pay for your injuries.

**Q.** *Can I still get damages if the accident was partly my fault?*

**A.** Yes. In most states, accident victims can recover money even if

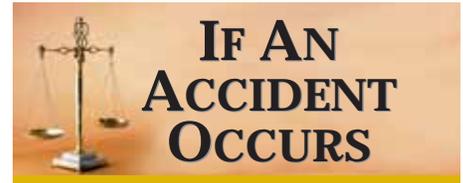
they are partly at fault. Your damages will just be reduced by the amount of your fault. For example, if your damages are \$10,000 and you are 20% at fault for the accident, your damages will be reduced by 20%, or \$2,000.

**Q.** *I know an accident victim who suffered the*

*same kinds of injuries I did, but received a different amount of compensation. Why?*

**A.** Every accident and every accident victim are different. As noted, many factors go into determining an accident victim's compensation. A change in just one factor can have a big impact on that amount.

**You can still get damages even if you are partly at fault for an accident.**

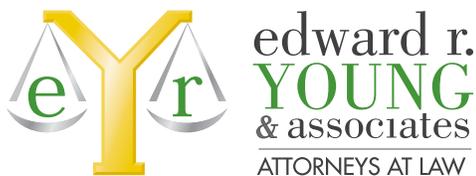


**I**f you are hurt in an accident, please call us. We are dedicated to providing top quality legal representation to accident victims. We fight for your rights and try to resolve your claim as fast as possible, with the goal being to obtain the maximum compensation for you.

We handle all types of personal injury cases and offer a free consultation. For experienced legal help after any type of accident, please call us.



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