

# Jones, Clifford, Johnson, Dehner, Wong, Morrison, Sheppard & Bell, LLP

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*Integrity • Expertise • Results*

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## Our attorneys excel in peer recognition

We are especially pleased when our peers, other well-respected attorneys in our field, recognize us for professional excellence. **Jones Clifford** is honored by the selection of many of its attorneys as Super Lawyers. Super Lawyers is a rating service of outstanding lawyers who have attained a high degree of peer recognition and professional achievement in their respective areas of specialty. **Jones Clifford** partners **Steven J. Bell** and **J. Kevin Morrison** have been selected as Super Lawyers in the Personal Injury practice area, and associate **Joshua D. White** has been selected by Super Lawyers as a Rising Star (since he has less than 10 years' experience and is under the age of 40). Partners **Francis Clifford** and **Alex Wong** have been selected as Super Lawyers in the Workers' Compensation practice area. **Kenneth Sheppard** has been selected as a Rising Star.



Similarly, the *Martindale-Hubbell Peer Review Ratings* are an objective indicator of a lawyer's high ethical standards and professional abilities. *Martindale-Hubbell* asks other lawyers in the same practice area to assess ethical standards and legal ability. Lawyers are rated on a scale from 1.0 to 5.0, and the prestigious A.V. Preeminent Rating is awarded to the select few attorneys with a score of 4.5 or above. **Jones Clifford** is proud to be the home of five partners who have achieved A.V. rating status: **Francis Clifford, Steger Johnson, Alex Wong, J. Kevin Morrison, and Steven J. Bell.**

Congratulations to all of them for this peer-based accomplishment!

## Hands-free doesn't mean less DISTRACTING

Using hands-free technology while driving is a no-brainer, but is it really less distracting? A recent AAA study has shown that these devices are still a serious distraction to drivers. In fact, the study showed that using some vehicles' hands-free texting and e-mail features was actually more distracting and dangerous than talking on a handheld phone.

"This study constitutes the most in-depth analysis to date of mental distractions behind the wheel. AAA is hopeful that it will serve as a stepping stone toward working in collaboration with automakers to promote our shared goal of improving safety for all drivers," said AAA president and CEO Robert L. Darbelnet. "Specifically, these increasingly common voice-driven, in-vehicle technologies should be limited to use for just core driving tasks unless the activity results in no significant driver distraction."

Our advice? If you need to talk or text (even if it's voice activated), pull over.



## Legislature cuts medical care in workers' compensation cases

Recent legislative changes have seriously eroded access to, and the quality of, medical treatment in workers' compensation claims in California. In the past, the injured worker's treating doctor was presumed to be correct, and if the insurance company denied treatment, it could be penalized.

Legislative changes have eliminated the treating physician's presumption of correctness, drastically reduced the penalties, and instituted "utilization review"—a process that provides insurance companies more chances to deny medical treatment. In the past, parties were at least allowed to litigate the unreasonable denial of medical treatment, and although there were significant delays, medical treatment could still be ordered by the judge after a workers' compensation hearing.

Effective July 2013, the legislature enacted Independent Medical Review (IMR). Under IMR, if the insurance company denies medical treatment, there is only one appeal, which is handled by a **private company** called Maximus (which has an exclusive contract with the State of California to handle these appeals). If Maximus also denies the medical care, **there are no further appeals**, and the workers' compensation judges have no jurisdiction to intercede. This shocking breach of due process is arguably unconstitutional, but unless legislative or judicial intervention occurs, it is the law.

To learn more about IMR, click on the state's website: [www.dir.ca.gov/dwcl/IMR.htm](http://www.dir.ca.gov/dwcl/IMR.htm). The website ironically praises the elimination of judicial oversight—in essence the removal of an injured worker's day in court—as an increase in efficiency.

If you believe that medical treatment is a right and that due process is sacred, please share your opinions with your state legislator.



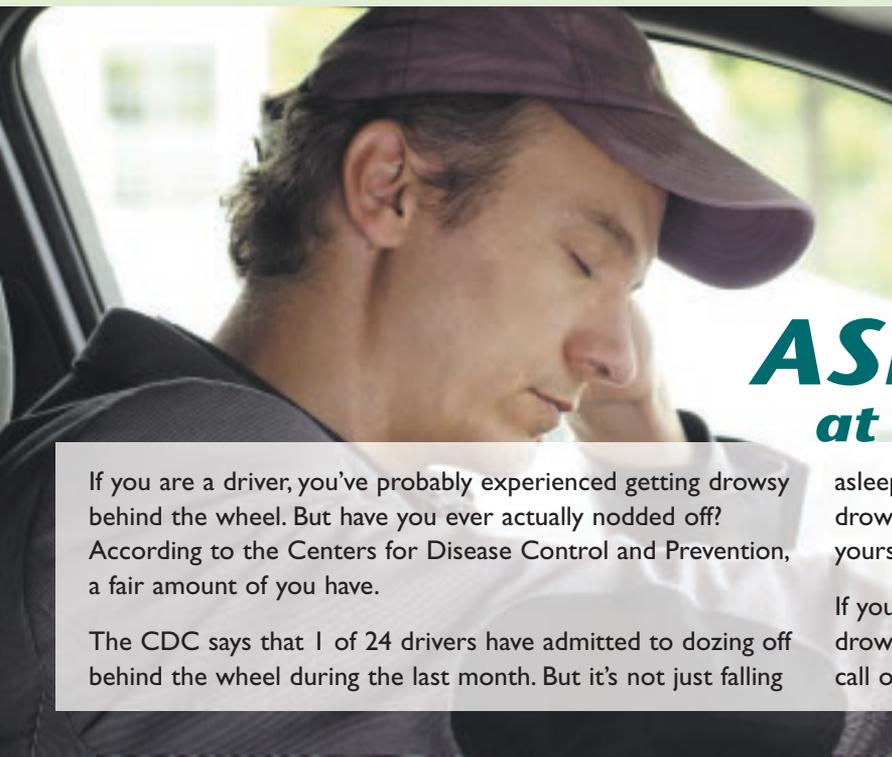
## Cyclists should look out...for other cyclists

Whether you are a casual bike rider or an avid cyclist, you are probably aware of the dangers presented by other vehicles and even pedestrians, but you should also be aware of other cyclists. Injuries sustained in a bike-on-bike collision can be very serious and even fatal.

In summer 2013, such a collision killed a 20-year-old Pasadena man. He was hit by another cyclist who was riding against the flow of traffic, or riding salmon, as it is called among cyclists. The victim sustained a serious head injury when his head hit the pavement. He was not wearing a helmet. Even so, the rider riding against traffic, which is illegal, could be held liable for the man's death.

### Ride well with other cyclists

- Follow the rules of the road; bike with traffic.
- Pass on the left and not the right.
- Slow traffic should stay to the right.
- Ride single file for safety.
- Maintain a safe distance between you and other bikes.
- Wear a helmet.



## ASLEEP at the wheel

If you are a driver, you've probably experienced getting drowsy behind the wheel. But have you ever actually nodded off? According to the Centers for Disease Control and Prevention, a fair amount of you have.

The CDC says that 1 of 24 drivers have admitted to dozing off behind the wheel during the last month. But it's not just falling

asleep that can be deadly; the organization reports that driving drowsy is comparable to driving drunk. Next time you find yourself sleepy at the wheel, pull over and take a break.

If you or a loved one has been injured in an accident involving a drowsy driver or someone who has fallen asleep at the wheel, call our office to discuss your rights.

## Jones Clifford partner Kenneth Sheppard active in the community

In addition to helping our clients, many of the attorneys at **Jones Clifford** are active in our community. Partner **Kenneth Sheppard** currently volunteers as a “puppy raiser” for Guide Dogs for the Blind, a nonprofit organization that trains highly qualified guide dogs to serve and empower individuals who are blind or have low vision.

Kenny keeps a puppy from the ages of 2–15 months. During that time, he teaches the puppy good manners and basic obedience. He also “socializes” the puppy by taking it most places with him—the office, restaurants, public transportation, even to court!

Recently, Kenny and his current golden retriever, “Azara,” gave a presentation about Guide Dogs for the Blind to a class of fifth-graders. For more information about Guide Dogs for the Blind, you can visit their website at [www.guidedogs.com](http://www.guidedogs.com).

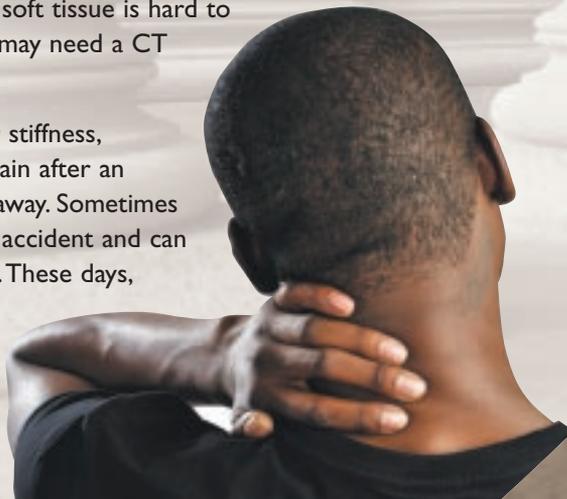


## WHIPLASH: what is it?

Whiplash is almost a stereotype in accident claims. Many old TV shows and movies portrayed someone faking a neck injury who was ultimately tricked into revealing the truth when a lawyer purposely dropped a heavy object to prod them to suddenly turn their head. But in reality, whiplash can be serious.

Whiplash is caused by an abrupt, whip-like jerking of the head back and forth. According to WebMD, “In whiplash, the intervertebral joints (located between vertebrae), discs, ligaments, cervical muscles, and nerve roots may become damaged.” Because damage to soft tissue is hard to diagnose, those with whiplash may need a CT scan or MRI for diagnosis.

If you experience neck pain or stiffness, dizziness, headaches, or back pain after an accident, see a physician right away. Sometimes symptoms occur days after an accident and can seem to go away and reappear. These days, whiplash is treated with physical therapy, not immobility and neck braces.





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Jones, Clifford, Johnson, Dehner, Wong, Morrison, Sheppard & Bell, LLP, is one of the premier firms in the San Francisco Bay Area, providing a broad range of legal services. We are a “full service” firm that can simultaneously assist you in your personal injury case and workers’ compensation claim.

In case of injuries caused by the negligence or intentional acts of others, we recommend the earliest possible contact with an attorney in our firm specializing in these fields. Because of our over 50-year commitment to people injured on or off the job, we will gladly answer, without charge, any preliminary inquiry that you may have regarding personal injury or workers’ compensation issues.

**Small enough to treat your case personally, but big enough to represent your rights aggressively.**



## **Jones Clifford partner elected to prestigious trial organization**

Jones Clifford is pleased to announce that partner **J. Kevin Morrison** was recently elected by his peers into membership of the American Board of Trial Advocates (ABOTA). ABOTA membership is highly selective and by invitation only, limited to attorneys with significant civil trial experience. Only other ABOTA members, all experienced trial attorneys themselves, vote in new attorneys as members.

At the time of his induction in the fall of 2013, Kevin became one of the youngest members of ABOTA’s San Francisco chapter. ABOTA’s mission is the preservation of the right to civil jury trial guaranteed by the U.S. Constitution’s Bill of Rights. Congratulations, Kevin!

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