

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

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Summer 2013 Newsletter

The most important insurance coverage our clients **USUALLY** do not have...

JONES CLIFFORD has an experienced team of four attorneys handling personal injury and wrongful death cases on behalf of our clients. Unfortunately, many times our clients are seriously injured or killed as a result of motor vehicle crashes. Assuming we can establish both fault and the cause of injuries resulting from the crash, most people believe they will be adequately compensated for their losses. Unfortunately, the financial responsibility of the at-fault driver is often inadequate. Sadly, a large number of drivers in California either have the *minimum* policy limits (\$15,000 per person and \$30,000 per occurrence) and *many have no insurance at all*. In fact, according to DMV's latest published figures, up to 15 percent of drivers in California have no insurance coverage at all. In our experience, uninsured drivers are often the most unsafe and cause the most crashes.

So, what can you do to protect yourself and your family? If the person who causes the crash has no insurance coverage or minimal coverage, there is something you can do about it. You can purchase sufficient uninsured/underinsured motorist (UM) insurance coverage as part of your own auto insurance.

How does UM coverage work?

If you are in a motor vehicle crash that was the other driver's fault, and that driver either has no insurance or not enough insurance, your own UM policy will cover your damages and your passenger's damages. Your UM policy will cover you whether you are on or off the job, a driver, passenger, or pedestrian, even if you are on a bicycle.

The only requirement is that the other driver must be at fault, and they either have no insurance or less coverage than your UM policy.

Where do I get UM coverage? How much should I get? How much does it cost?

UM coverage is part of your personal automobile insurance policy. Generally, your UM coverage cannot be greater than your liability coverage. We recommend no less than

\$1,000,000 of UM coverage. To obtain this level of coverage, you need to increase your own policy limits to at least that amount.

We recommend no less than \$1,000,000 in coverage because in the event of a catastrophic injury, there will most likely be significant hospital charges and other fees. Therefore, to ensure you have a reasonable recovery after all of the other costs are paid, you should have no less than \$1,000,000 in coverage.

Generally, the cost of increasing your policy limits is very low, often a few hundred dollars per year. You should contact your auto insurance agent to find out the exact details.

What if my insurance company doesn't offer \$1,000,000 in coverage?

How much insurance you carry depends on your individual circumstances. Once you have determined how much coverage you need, if your insurance company does not offer that amount, you should shop around to see whether other insurance companies will offer those amounts.

Will an umbrella policy cover UM?

The answer is "it depends." Some umbrella policies do cover UM, others require a separate rider, and some will not at all. You need to specifically ask your insurance agent, and if they tell you that your umbrella policy does cover UM, be sure to get a written confirmation.

If I am injured in a motor vehicle accident, should I contact an attorney?

Many accidents involve questions of liability, damages, and the nature and extent of the injury. When the accident also occurred on the job, there is a complex relationship between the workers' compensation claim and the personal injury claim. We suggest that you contact an attorney immediately after an accident or injury to be advised of your rights. The consultation is free, and you will get the information you need to make an informed choice about how best to proceed. We generally recommend that you consult with your own legal adviser before giving any written or other information to the insurance company or insurance investigator.

Don't TEXT and DRIVE!

Texting while driving is downright dangerous; avoiding it should be a no-brainer. But if you need another reason not to text while driving, teens who say their parents drive distracted are more likely to do so themselves. In a recent study by Students Against Destructive Decisions and Liberty Mutual, 66 percent of teens surveyed said that their parents texted, talked on the phone, or participated in another distracting activity while driving.

Here are a few other scary 2012 statistics regarding texting while driving, published by carinsurance.org.

- Those texting are 23 times more likely to get into an accident.
- 18 percent of fatalities from distraction-related accidents are caused by cell phones.
- 30 percent of teens text while driving.
- 55 percent of young-adult drivers think that it is easy to text while driving and still pay attention.
- According to a Car and Driver study, a driver's reaction time while reading and sending texts was worse than if impaired by alcohol.



Fifty-five percent of young-adult drivers think that it is easy to text while driving and still pay attention.

SUMMER RECALL ROUNDUP

Master Forge gas grills sold at Lowe's

If improperly installed, the hose connecting the gas tank and regulator to the burner control can touch the burner box and cause the hose to melt and rupture when the grill is lit. Consumers should stop using the grill and call or go online for instruction.

888-584-3628, www.94227info.com

Banana Boat UltraMist Sport SPF 30 and SPF 50

Spray-on Banana Boat sunscreen voluntarily pulled 23 Banana Boat continuous sprays from retailers last year because they can catch fire if exposed to a flame or spark before drying on the skin. Consumers who have any of the products purchased between January 2010 and September 2012 should dispose of them and call or e-mail for refund information.

800-723-3786, e-mail SUNCARE@customerfollowup.info

Wilson & Fisher garden swings sold at Big Lots

The wooden swing's seat can break while in use, posing a fall hazard. Consumers should stop using the swing, detach the bench seat, and return it to Big Lots for a refund.

(866) 244-5687, www.biglots.com, click "recalls"

Children's water bottle sold at H&M

The water bottle spout can break off, posing a choking hazard. Consumers should stop using the water bottle and return it to H&M for a refund.

(855) 466-7467, www.hm.com

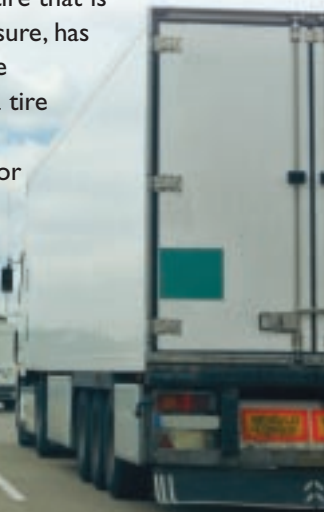
Tractor-trailer tire blowouts

Chances are good that you've been driving on the highway and noticed large hunks of tire tread on the side of the road left by a truck. Those huge pieces of metal and rubber aren't just left there; they tend to fly off of trucks as a result of unexpected tire blowouts. The blowout and the debris can have serious—sometimes fatal—consequences.

That tractor-trailer tire blowouts happen so often in the trucking industry is disturbing. If a driver isn't able to maintain control of a truck, he or she is in danger, and so is everyone else on the road. Not to mention that flying debris can cause accidents as drivers try to swerve out of the way.

Truck drivers are responsible for checking the safety of the vehicle and the load, and this includes tire pressure and wear, before each and every trip. A tire that is not inflated to the appropriate pressure, has wear on the tread, or damage to the sidewalls is in danger of blowing. If a tire appears to be roadworthy, a manufacturing defect could be to blame for a tire blowout, or the trucking company may have been using the wrong type or size tire for the rig.

If you or a loved one has been injured in an accident involving a tractor trailer, call our office today for a free consultation.





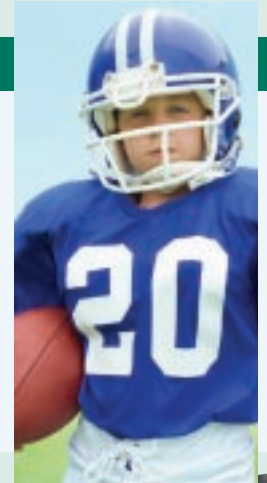
The right protection

Are concussions becoming a dangerous norm in football? Hearing stories of teens and adults suffering concussions in high school, college, and professional football is nothing new. But last fall, the media reported extensively on a game in which five players sustained concussions in a single game—in the Peeewe League.

As a new season approaches, take some time to make sure your kids have the proper protective equipment to reduce the risk of concussion. Be sure that used helmets and pads are in good shape and fit well. The helmet is the most important piece of equipment that your child will wear. No matter how good the condition, if it doesn't fit properly, it won't provide adequate protection.

PROPER HELMET FIT

- Measure the circumference of a child's head right above the eyebrows. Sizing among manufacturers varies, so this number is important.
- When the helmet is on, it should not move easily and should fit tight without being uncomfortable.
- The helmet should rest directly against the temple and the jaw, and the chin strap should fit snugly.
- When pushed on the top, the wearer should feel pressure on the crown of the head but not on the forehead.



No matter how good the condition, if the helmet doesn't fit properly, it won't provide adequate protection.

TAILGATING DRIVERS

There is nothing quite as annoying as a driver riding your bumper. Tailgaters cause a lot of accidents and are the number-one cause of road rage. Tailgating is aggressive driving and is illegal. According to Smartmotorist.com, most rear-end collisions are caused by one vehicle following another too closely.

Get out of the way

Your life, and the lives of your passengers and others on the road, is too precious to get stubborn with a driver who is already showing irresponsible behavior.

Don't tap the brakes

Sure, you know you aren't really using the brakes, but tapping the pedal to activate brake lights could cause an accident behind you if the tailgating driver panics and loses control of their vehicle.

Follow the two-second rule (or more!)

One car length for every 10 miles per hour is suggested, but this can be difficult to judge. For noncommercial motorists, the two-second rule is a good way to gauge distance. When a vehicle in front of you passes a sign, you should be able to count two full seconds before your vehicle reaches the sign. Double the time in cases of rain, maybe even more when conditions are snowy, foggy, or icy.



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**Check out our
website:
www.JonesClifford.com**

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 is pleased to introduce... *JOSHUA D. WHITE*

Jones Clifford is pleased to announce the newest addition to our legal team—associate **Joshua D. White**. Josh joins the firm’s personal injury and wrongful death team. He has six years’ experience litigating cases in California, mostly in the areas of construction, products liability, and personal injury. Josh grew up in the Central Valley outside Visalia, where he played high school basketball and baseball. His undergraduate degree is from the University of Oregon. He attended law school at Willamette University’s College of Law in Salem, Oregon, where he graduated in 2006. While in law school, Josh won an award for his writing and was a finalist in the law school’s oral advocacy competition.

Josh is married and lives in San Francisco. He and his wife have two young daughters who keep them busy. In his spare time, Josh is an avid bicyclist and enjoys snowboarding, hiking, and camping, as well as cheering on the Oregon Ducks sports teams.

We are pleased that Josh has joined us; he is a great addition to our team. He can be reached at jwhite@jonesclifford.com.

