

# ROSWOLD LAW GROUP, P.C.

Kansas City Accident & Injury Attorneys

## News You Can Use

Personal Injury | Medical Malpractice | Workers Compensation

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## ONCE A CLIENT, ALWAYS A CLIENT

Every past client of ours has heard this at the close of his or her case:

We pride ourselves on being there for you not just throughout your case but in the future as well. Any time you have a legal question, just call us and there is a good chance we'll have an answer or get you to someone who does. Having been our client, you are now a VIP. That holds true a week, a year, even a decade from now.

**Have you ever wished you had a lawyer in the family? NOW YOU DO!**

When it comes to the law, an ounce of prevention is worth a pound of cure so give us a call if you even THINK you might have a legal issue. Our advice is free and might just save you a big headache.

At Roswold Law Group, we are committed to being **THE** legal resource for you and your family. Take advantage of our many years of legal experience and call us whenever you need us. Past clients who take advantage of this already know how valuable this service can be.

**FIND OUT FOR YOURSELF!**

**I didn't see a doctor until 5 months after the accident. Now, the insurance company is saying there is a time limit to see a doctor and that they won't pay me. Is there a time limit to see a doctor?**

There is no official time limit to see a doctor. However, what the insurance company is saying is that they do not believe that your doctor visit, five months after the accident, was caused by the accident. They are saying that you won't be able to convince a jury of that. So, while there is no official time limit, they are betting that you won't be able to prove the connection.

Each case is different, but in the vast majority of car accident cases, waiting five months to see any doctor, and then trying to blame the car accident for that care, won't get you very far. The insurance company will probably win that battle.

"JUST ASK JIM"



# Motorcycle Fatalities and Injuries: the sobering statistics

With warmer weather arriving, more and more motorcycle riders will take to the roads in the coming months. But with those additional riders, also come major concerns about their safety.



The National Highway Traffic Safety Administration (NHTSA) reports that 5,290 motorcyclists were killed in 2008, an increase of 2 percent over 2007, which marks the eleventh straight year fatalities have increased. In addition, nearly 100,000 motorcyclists were injured in 2008.

Part of the increase in fatalities can be attributed to the significantly higher number of motorcycles on the road (over 7.5 million now vs. 3.9 million in 1998), but some of the blame still has to go to the states. Only 20 states, the District of Columbia, and Puerto Rico, require helmet use by all motorcyclists. Other states require just a subset of riders (such as riders under the age of 18) to wear helmets or have no requirement at all.

According to estimates by the NHTSA, helmets saved the lives of 1,829 motorcyclists in 2008. Additionally, the NHTSA estimates that 823 more lives could have been saved if all motorcyclists had worn helmets.

Alcohol continues to be a major factor in motorcycle crashes, as well as fatalities. In 2008, 43 percent of motorcycle riders who died in single-vehicle crashes had blood alcohol levels (BAC) of .08 or higher.

The NHTSA says wearing a helmet and the right gear, checking equipment before riding, never drinking and riding, and getting the right training can make a big difference in motorcyclists' safety.

# “But My Aunt in Wichita Got \$200,000 for her case”

One question we often hear is, “How do you go about arriving at the value of a personal injury case?”

Here's the scoop, settlement recommendations are gauged against what a lawyer thinks a jury in his or her jurisdiction will award in the case. A jury is composed of people drawn from the local community, and if your case is going to be tried in our area, it doesn't matter what your case might be worth in California, New York, or even someplace just an hour or two away.

An experienced personal injury lawyer will know and understand what juries are doing locally. The lawyer keeps up to date with what jurors are doing by:

- Taking cases to trial in that jurisdiction.
- Reading about other verdicts in the legal press (the general media rarely report cases in which no money is awarded. The general press is interested in news, and for them, news is big verdicts). The legal press reports both cases that are won and lost.
- Talking to other lawyers in that area about what their experience has been.

We can't tell you what a broken leg case is worth on the other side of the country just as your aunt can't tell you what your case is worth in our area. You should choose a personal injury lawyer who is experienced, because an experienced personal injury lawyer in your area is in the best position to advise you as to the “settlement value” of your case.

## FEATURED TESTIMONIAL



“James dug in from the start, and you could tell that he cared. I don't know that I would be where I am today without him. His compassion and his knowledge, yeah he definitely cared. I would recommend him to anybody.” –ROBERT S.

# Amusement Park Safety



With summer right around the corner, millions of Americans are gearing up to head to amusement parks, carnivals, and theme parks for thrills and excitement.

Unfortunately, dangers await them as well. Each year, on average, 10,000 people suffer injuries at parks and five people die, according to the Consumer Product Safety Commission (CPSC). Because rules on reporting amusement park accidents and injuries vary so much from state to state, and since many injuries go unreported, the true number of accident injuries is hard to determine.

The injuries that are reported range from less serious ones such as bumps, bruises and small cuts to more serious injuries such as broken bones, brain injuries, paralysis, and loss of limb. In one of the more tragic recent cases, a 13-year-old girl on a tower-drop ride at a Six Flags park in Kentucky had both of her feet severed

when a cable broke during the ride and struck the girl in the legs at a high rate of speed.

Overall, some of the main reasons for injuries at parks include:

- Rider error, such as standing up during a ride or removing restraints.
- Mechanical failure.
- Ride operator negligence, which may result from inattentiveness or failing to properly secure riders.
- Falls at entrances or exits to rides.

If you or a loved one has suffered a serious injury at an amusement park or carnival, it is important to contact an experienced personal injury attorney to determine if you may be owed damages.

THANK YOU  
for your referrals!

There is no bigger compliment than referrals from our clients. A big THANK YOU to those who have recently referred new clients.

- Julie P. ● Kansas Workers Compensation
- Barry O. ● Missouri Auto Accident
- Alan W. ● Missouri Auto Accident
- Attorney Referral from Mark Roy ● Missouri Auto Accident

Each of the above referrals has resulted in a donation to the Roswold Foundation for Injured Children, founded by James Roswold and Heather Lottmann to provide assistance and educational materials to injured children and their families.

We thank you for these referrals.



For more information about Roswold Foundation for Injured Children, visit [www.roswoldfoundation.org](http://www.roswoldfoundation.org)

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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to action on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be copied and distributed as long as the newsletter is copied in its entirety.

## Quote of the month

"There are those who dwell on choices and those who choose."

– Author Unknown

**FUN**

The first Harley-Davidson motorcycle was built in 1903.

**fact**

## MONTHLY CONTEST

### How Would You Like to Win a Gift Card?

Each month we will feature a new trivia question. All you have to do is be the first one to answer this question correctly:

**Who played Reggie Love in John Grisham's, "The Client?"**

The first person to call us at 816-471-5111 with the correct answer wins a gift card. It's that easy!

**Safety  
tip  
of the month**

In January 2008, NHTSA published "Traffic Safety Facts" and encouraged every state to adopt and enforce universal helmet laws. It argued that, "Motorcycle helmets provide the best protection from head injury for motorcyclists involved in traffic crashes."

