

LEGAL INSIDER

From the Desk of
Charles D. Hankey



Our Accident Injury Team is Here for You

Be informed about the law and understand your rights in the event you or someone you know is injured in an accident.



At some point, you may find yourself in a position where you have questions regarding personal injury law, and you might be considering hiring an attorney. Although we hope you never find yourself in this situation, the Hankey Law Office wants to make sure you have the best information going forward.

Personal injury law, also called tort law, strives to protect the rights and interests of victims who are injured due to the negligent, reckless, or outrageous misconduct of other people or legal entities. Simply put, personal injury law allows victims to claim compensation (usually financial in nature) from people or companies who are responsible for causing them harm.

When tragic, unforeseeable accidents occur, victims may be susceptible to any number of physical injuries. Sadly, these incidents can be caused by a variety of different forces and often lead to medical bills, lost wages, and emotional suffering. When innocent people are harmed by the negligence of others, they may be able to take legal action against the careless party. Often, these cases lead into our other practice areas. We can handle all areas effectively and passionately, if given the chance.

If you or a loved one has been the victim of an accident caused by another, you may be eligible for financial compensation for your suffering. Contact us at 317-634-8565 to discuss your case today.

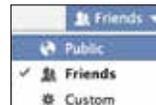
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Semi-Truck Accidents Caused by Negligence



More than 500,000 semi-truck accidents happen each year in the United States. Due to their larger size and heavier weight, trucks cause severe damage to the vehicles they collide with. About 5,000 semi-truck accidents each year result in a fatality. A majority of the time, that fatality is in the smaller vehicle. Even when it's not fatal, being hit by a semi-truck can leave one seriously injured.

Many of those accidents could have been prevented if not for the negligence of the semi-truck drivers or the companies they work for. If you or someone you know has been injured in an accident with a semi-truck, you may be able to seek compensation – especially if negligence can be proven.

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Dealing with Car Insurance Companies

What You Should Expect (part 1)

Insurance companies spend millions of dollars on advertising, trying to convince the public that they are trustworthy, kind, and have our best interests at heart. The truth is that they are primarily profit-making enterprises and, enlarging their own bottom-line is their main goal. Each insurance company is different, of course, and some are better than others in being responsible to their customers and to the persons that their customers negligently injure.

When one of our clients suffers an injury due to another person's negligence, we represent our client in a claim, or lawsuit, against that person. For instance, one of the common cases we handle involves motor vehicle accidents. Even though the claim is against the negligent person, our real adversary is the insurance company that insures the person. That is why it is important for you, as a consumer or an injured person, to understand how they operate.

A favorite tactic of insurance companies is to try to establish contact with the person involved in an accident before that person has hired an attorney. They keep very close attention to statistics and have learned that a significantly injured person who is



represented by an attorney will end up with a larger monetary settlement than a person without legal representation.

After a vehicle wreck, an insurance agent will immediately start calling the injured party, even if they are in the hospital or have suffered a tragic injury, to:

- Influence the person to agree to a description of the wreck that is most favorable to the insurance company.
- Question the injured person about his or her injuries in order to “lock them in” to the injuries that are only apparent immediately following the wreck. This is unfair, because often times a person simply does not know the extent of his or her injuries until many days, and sometimes weeks, have passed from the time that the event occurred.
- Persuade the person not to hire an attorney. Insurance agents have become mobile, and will even want to show up at your home, or the hospital, to accomplish their “quick strike” objectives. It is critical that you not fall into these traps.

Semi-Truck Accidents (cont.)



Negligence by a truck driver may include:

- Speeding
- Unsafe driving in adverse weather
- Distracted driving (e.g. texting/talking on a phone, eating, etc)
- Driving while excessively tired
- Driving while under the influence of alcohol or drugs
- Aggressive driving (e.g. failing to maintain safe distances)

Additionally, the trucking companies they work for can be held liable if any of the following can be shown:

- Unsafe trucks or equipment due to deferred repairs, negligent maintenance or inspections
- Unbalanced/overweight cargo loads
- Poor driver hiring, training, or supervision
- Unrealistic deadlines that require drivers to speed or exceed daily driving limits
- Failure to follow state and federal safety regulations

Every case is unique so it is important to talk with an experienced attorney as soon as possible after the accident.



Social Media Tips From the Desk of Regina Eddington

Insurance companies are using new tools to discredit your case that most people would never imagine – your own postings on the internet. As a result, you have to use some discretion when posting on social sites such as Facebook, Twitter, Instagram, Flickr, blogs, dating sites, etc. If you post photos to any of your social media accounts, we strongly encourage you to secure access with a password or make sure the posting is private, rather than public, for anyone to see. You can also disable your account(s) temporarily while you have an active case.

Social media is a great way to keep in touch with friends and family, but the activities people share can be misinterpreted. For example, a person might post that he went to the zoo with his family and had a great time. An insurance company or judge might read that and think the person is able to walk for several hours at a time. In reality, the person may have used a wheelchair to get around the zoo, but people don't typically reveal that in their posts.

Take a minute to type your name into a few search engines and see what people are able to discover about you. Do what you can to keep this information confidential.

Tips for internet use during your case:

- Do not “friend” anyone on a social networking site unless you are positive that you know and trust that person.
- Do not post any photos or video of yourself, and request that friends do not post anything about you on their own accounts, either.
- Do not write anything about yourself that you would not want the opposing side to bring up in a trial.
- Do not send emails or texts about your case to anyone except your attorney.
- Do not participate in online discussions about your case, including blogs, chat rooms, and message boards.

Pool Time: Ways to Keep Kids Safe

Swimming is a summer favorite for people of all ages, but it's important to know how to be safe while you and your family are in the water.

By Attorney James DuBach

Death by drowning is the leading cause of injury related death of children ages five and under. That alarming statistic is one that every parent should keep in mind each time they allow their child to swim. The American Red Cross provides these swimming safety tips:

- Swim in areas supervised by lifeguards.
- Always swim with a buddy; do not allow anyone to swim alone.
- Never leave a young child unattended near water and do not trust a child's life to another child: teach children to always ask permission to go near water.
- Have young children or inexperienced swimmers wear approved life jackets, but do not rely on life jackets alone.
- Avoid distractions and maintain constant



- supervision of children around the pool.
- Make sure everyone in your family learns to swim well. Enroll in Red Cross water orientation and learn-to-swim courses.
- If you have a pool, secure it with appropriate barriers.
- If a child is missing, check the water first. Seconds count.
- Have appropriate equipment, such as reaching or throwing equipment, a cell phone, life jackets and a first aid kit.
- Know how and when to call 9-1-1 or the local emergency number.
- Learn how to prevent and respond to emergencies in Red Cross home pool safety, water safety, first aid and CPR/AED courses.

We LOVE Referrals

Our business is growing because of referrals from clients and professionals like you. Thanks!



We would love to assist others, so please don't hesitate to send friends and family our way for help with:

- Social Security Disability
- Supplemental Security Income
- Personal Injury
- Long Term Disability
- Workers' Compensation
- Employment Law

Lessons From My Car Accident

Top 5 Things I Would Do Differently



By Attorney Megan Cain

I can remember every detail of my accident. I remember seeing the other car approach the intersection and wondering, "Is he going to stop?" He didn't. He ran the red light and I knew I did not have enough time to prevent a crash. I watched his car plow into my driver's side door, feeling so incredibly helpless. I remember trying to position my body in a way that would minimize the pain. And then everything went black. The next thing I remember is crawling out of the car and answering the paramedics questions the best I could. My car was totaled, but I did what I was supposed to do – I survived.

Sadly, auto accidents kill more people in the U.S. than any other consumer product. Fortunately for me, I was able to walk away from my accident. But I still had the headache of settling medical bills and dealing with an insurance company who acted like I was at fault. Luckily, I was well represented and recouped a fair settlement for my injuries, pain and suffering.

Looking back, there are certainly things I would have done differently. Below are my top five tips on what to do when you are in an accident:

1) Accept emergency medical care

If the paramedics offer you transportation to the hospital, go with them. Immediately after a collision, adrenaline can often mask the pain of serious injury. Let an emergency room physician determine the nature and extent of your injuries. Some people decline the ambulance and later seek treatment from their primary care physician. This delay can be harmful to your health and your personal injury case.

2) Record your own statement

Although you'll be shaken up after the accident, try to record what happened in your own words. You can do this by making a recording on your cell phone or writing it down on a piece of paper. Make your statement as detailed as possible, without editorializing. Just include the facts. If you

can't write your statement at the scene, do it as soon as possible afterward.

3) Take photographs and videos

You can never have too many pictures. If you don't have a camera handy, use your cell phone. Don't move anything. Record the scene exactly as it is right after the accident. Take pictures and video that clearly reflects the position of the cars, especially if the other car's position supports a claim of unsafe or illegal driving. Photograph damage to the cars, skid marks, broken car parts, damaged guardrails, trees, and other damaged stationary objects. If possible, have someone take pictures of your injuries.

4) Listen for admissions against interest

Use your cellphone (or have someone else in your camp use theirs) to record statements made by the other driver. He or she may admit fault. Incriminating statements made at the time of the collision, such as, "I'm sorry, I didn't see you" or "It's my fault," can be admitted into evidence as exceptions to the hearsay rule.

5) Get the police report

Before the police officers clear the scene and allow you to leave, ask them for the service or reference number of their report. You can get a copy of the police report within a few days after the collision. The report includes a description of the collision, a diagram of the scene, and the officer's assessment of fault. Police reports also indicate any traffic violations the officer thinks contributed to the collision, along with any citations issued.



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With 80 years of combined experience, both in and out of the courtroom, the legal professionals of the Charles D. Hankey Law Office can resolve cases involving:

- Disability Claims (SSD/SSI)
- Long Term Disability
- Short Term Disability
- Worker's Compensation
- Employment Law
- Workplace Discrimination
- Wage & Hour Issues
- Insurance Law
- Personal Injury
- Car Accidents
- Truck Accidents
- Motorcycle Accidents
- Bicycle Accidents
- Railroad Crossing/
Train Accidents
- Airplane Accidents
- Highway Defects
- Workers' Compensation
- Premises Liability
- Product Liability
- Brain/Head Injuries
- Spinal Injuries
- Dog Bites /Animal Attacks
- Child Injuries
- Construction Accidents
- Burn Injuries
- Drowning

Employee Spotlight: Brooke



Meet Brooke! Brooke is one of the receptionists at the Hankey Law Office. She is originally from California but has lived in Indiana for most of her life.

Brooke is married to her husband Cameron and together they have a 4-year-old daughter named Alexis.

In her free time, Brooke enjoys hiking, traveling, and cooking delicious healthy food for her family and friends.

She likes to look at life as an adventure and tries to never say no to a road trip, a good book, or great live music.

Past results afford no guarantee of future results. Every case is different and must be judged on its own merits. The contents of this newsletter do not constitute legal advice.

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