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## Personal injury law myths



Myths abound when it comes to the legal system, and in particular personal injury attorneys—oddly enough, the ones who protect the “little guy.” The legal system isn’t

about the big paydays (though they happen and the news media runs with the stories); it is about helping to provide justice for people who have been injured and need protection. Thanks to TV and selective coverage by news outlets, several myths persist about personal injury attorneys:

**Myth 1:** Attorneys are just ambulance chasers.

**Fact:** While it makes for funny hospital scenes on TV, approaching victims or their loved ones at the scene of or shortly after an accident is prohibited under the American Bar Association Model Rules of Professional Conduct. Attorneys may prospect by reaching out to an accident victim, but it should be well after the accident and with the offer of a case evaluation, never with a promise of big money and a neck brace to fake injuries, as some TV reports would have you believe.

Truck Accidents

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**Myth 2:** Hiring an attorney is too expensive.

**Fact:** Personal injury attorneys most often work on a contingency fee. Clients don't pay money up front, and attorneys only get paid if the case settles or wins in court. Do keep in mind that clients may be responsible for costs associated with the case, such as fees for medical records, postage, copying, and other expenses.

**Myth 3:** My case isn't big enough, and my injuries aren't severe enough.

**Fact:** Attorneys care about recovering fair compensation for their clients. Not every injury is catastrophic, but even minor injuries are costly. Being thankful it wasn't worse won't pay the bills or rehab for a so-called minor injury.

**Myth 4:** I will be financially devastating the defendant.

**Fact:** It is most likely that the individual's or company's insurance will pay, not the individual person or business.

If you've been injured and aren't sure whether you have a case, please contact our office for a free case evaluation.

### Be sure to choose a daycare wisely



When choosing a daycare facility, parents seek out a location close to home or work with happy-looking kids and staff. While that is a great place to start, be sure to visit the facility

several times, at least once while the facility is in operation. Take note if it has any state or industry credentials, ask for references, and talk to other parents.

It's probably not realistic to think that your little one won't fall down and get a few bumps, bruises, and even a bite or two from other children, but your daycare is obligated to provide an environment that is reasonably safe. When it comes to accident-prone children and superprotective parents, what exactly does this mean?

### **Negligence**

If your child falls down and fractures their arm, you may want to hold the facility responsible for personal and financial reasons. If the injury occurred when a 3-year-old child fell off a tricycle while being supervised in an area free of obstacles and on a tricycle that was in good shape, the facility most likely provided a reasonable standard of care to prevent accidents. If the duty of providing reasonable care was broken—there were toys, sticks, debris, or other obstacles on the riding area; the tricycle was broken; or there was little or no supervision—then the facility could be found negligent.

Likewise, the inside of a daycare is full of loud children, small toys, bottle warmers, shelving full of toys and books, and all sorts of things that can be dangerous if strict procedures and supervision aren't followed and provided.

### **Abuse and neglect**

If, however, you suspect or witness abuse, whether it is sexual, physical, or emotional, or see signs of neglect, contact the police right away or call the Childhelp National Child Abuse Hotline at **1-800-4-A-CHILD (1-800-422-4453)**.

### Hands-free is not risk-free



These days you don't have to touch your phone to send a message. Thanks to hands-free technology in phones and in vehicles, drivers can send and receive texts without ever touching a device. But is it safe? According to a recent study by the AAA Foundation for Traffic Safety, hands-free systems and safety features may prevent the driver from taking their eyes off the road and their hands off the wheel, but research revealed that using voice commands to send texts and change music created a mental distraction that lasted almost 30 seconds after the task was completed.

“The massive increase in voiceactivated technologies in cars and phones represents a growing safety problem for drivers,” said Marshall Doney, AAA’s president and CEO. “We are concerned that these new systems may invite driver distraction, as overwhelming scientific evidence concludes that hands-free is not risk-free.”

In a press release, AAA says that researchers studied the residual effects of mental distraction while comparing

new hands-free technologies in ten 2015 vehicles and three types of smartphones, and ranked the level of distraction on a scale of 1–5. The analysis found that all systems studied increased mental distraction to potentially unsafe levels. Not surprisingly, the systems that were found to be the least distracting performed with fewer errors, required less time on task, and were easiest to use.

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