



Your Legal Cornerstone

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ISSUE 1

SUMMER 2009

How A Minor Traffic Ticket Can Turn Into A BIG Deal

By: Randolph C. Lafferty, Esquire
Youngblood, Lafferty & Sampoli, PA

So what is the "Big Deal?" You have a motor vehicle accident and you think "thank God, no one was hurt." Despite your protests the police officer thinks the accident was your fault and issues a careless driving (N.J.S.A. 39:4-97) ticket to you. You are upset that the officer wouldn't listen to you or misunderstood you. You call a couple of lawyers and they quote you fees of \$350 to \$500 to go to court with you. You tell them you will get back to them and then you look on the back of the ticket and it says if you pay the fine either online or through the Violations Bureau you will only have to pay \$85. You are a busy person and going to court takes time. Also, you have to pay the lawyer. You decide to pay the \$85 online and the whole mess is over, right? Maybe and maybe not.

Three, four or more months down the road you start to experience severe back pain. You go to the doctor and are finally diagnosed with a severe herniated disc that will require surgery. You find it difficult to deal with all of the insurance companies and decide to go to a lawyer.

You tell the lawyer the accident wasn't your fault. The lawyer (and the opposing insurance company) contacts the Municipal Court and finds out that you pled guilty to

careless driving which caused the accident! The insurance company either elects to take your civil case to trial or wants you take a significantly reduced settlement! You also learn that your insurance rates are being increased and you now have points on your license! This is when it becomes a "Big Deal!"

Had you spent the money to hire a lawyer, they would have presented you with options that would have protected you. The lawyer could have helped negotiate a plea bargain to a no point charge or perhaps even a dismissal! Under any circumstance, the lawyer could have negotiated an arrangement where whatever happened in Municipal Court, stayed in Municipal Court and would not affect you in the future regarding any civil matter.

So, for a couple of hundred dollars, you potentially lost thousands of dollars. That is a big deal! Sometimes minor accidents turn out not to be so minor. Don't be penny wise and pound foolish ... if you receive a traffic summons as a result of a motor vehicle accident, consult with an attorney. Otherwise, something that isn't such a "Big Deal" might become one!

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Are You Covered?

Do you have sufficient insurance coverage in the event of a motor vehicle accident?

By: Daniel J. Cahill, Esquire
Youngblood, Lafferty & Sampoli, PA

One of the most important points of safe driving is that drivers must drive “defensively”, not only taking every precaution to operate your own vehicle safely, but also being watchful for the careless and inattentive driver sharing the same roadway. By driving defensively, you can anticipate another driver’s poor driving conduct. In other words, a careful driver can operate her motor vehicle more safely by anticipating another motorist’s poor decision making.

The same situation exists with respect to automobile insurance coverage. The driving public can protect themselves on the roadway from another driver’s failure to properly insure his own vehicle. By insuring yourself “defensively” you can anticipate and avoid problems that arise when other drivers have chosen inadequate insurance coverage and become involved in accidents, potentially with you.

It is now legally permissible for an owner of a motor vehicle principally garaged within the State of New Jersey to have a valid and legal insurance policy as required by New Jersey law, yet have absolutely no liability coverage for personal injuries caused to another innocent motorist (perhaps you or your family) who has had the misfortune of being injured, at times catastrophically, by their negligent and/or reckless driving. This type of policy is known as a “basic” policy, as opposed to a “standard” policy, and is almost like not having insurance at all!

New Jersey law now provides for *optional* personal injury liability insurance. This law permits a motor vehicle owner to choose to have no liability insurance for bodily injury, and very limited coverage for property damage. With this “basic” policy, the person insured has the protection of none or only \$10,000 in liability coverage, very limited medical expense coverage and, the insurance company doesn’t even have to provide them with legal representation if they are sued! *(continued on page 3)*



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The moral of the story is that you need to purchase adequate insurance to protect yourself from claims by others and you also need to be defensive and protect yourself or your family in case you are harmed by an uninsured or underinsured driver. It is extremely important for every motor vehicle owner and registrant in the State of New Jersey to protect themselves by purchasing adequate coverage. This can be done by purchasing increased, yet affordable, endorsements for liability and Uninsured/Underinsured Motorist coverage.

“Basic” policies are dangerous for several reasons. You should review your policy to be sure that it contains adequate liability coverage for both property damage and bodily injury in the event that you are determined to be at fault for an accident. Your home and savings are too important to you and your family! You must also ensure that you have sufficient coverage in your Uninsured/Underinsured Motorist coverage endorsement to protect you and your family from others.

The firm of Youngblood, Lafferty & Sampoli, PA stands ready to answer your questions related to this or other insurance issues.

DID YOU KNOW THAT YOUNGBLOOD, LAFFERTY & SAMPOLI, PA HAS ATTORNEYS THAT SPECIALIZE IN THE FOLLOWING PRACTICE AREAS ...

- | | |
|------------------------------------|--------------------------------------|
| Personal Injury | Workers’ Compensation Law |
| Business and Commercial Litigation | Professional Liability |
| Employment Law | Copyright and Trademark Law |
| Products Liability | Estate Planning |
| Municipal and Government Law | Land Use and Real Estate Development |
| Family Law | Bankruptcy Law |
| Immigration Law | Healthcare Law |

|| QUOTE OF THE MONTH....

|| **“ Whatever joy there is in this world,
“ All comes from wanting others to be happy.
|| Whatever suffering there is in this world,
|| All comes from wanting oneself to be happy.**

|| *“ Shantideva, Engaging in the Conduct of a Bodhisattva, VIII, 129*

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RECENT VERDICTS

YOUNGBLOOD, LAFFERTY & SAMPOLI WINS \$725,000 VERDICT IN 2003 CRASH

An Atlantic County civil court jury awarded Mary Roe \$725,099.84 in damages for spinal injuries she suffered in a car accident in 2003.

On July 31, 2003, Mary Roe was operating her motor vehicle Westbound on Atlantic Avenue at or around its intersection with Aberdeen Place in Atlantic City, New Jersey. At said time and place, the Defendant, Lester S. Klein, now deceased, was operating a motor vehicle Southbound on Aberdeen Place at its intersection with Atlantic Avenue. Southbound travel on Aberdeen Place at its intersection with Atlantic Avenue is governed by a stop sign. As Ms. Roe approached the intersection, Mr. Klein failed to yield and proceeded to make a left hand turn directly in front of Plaintiff's vehicle causing a collision.

Ms. Roe, 56, a long-time employee of the Showboat Casino-Hotel who once was a shop steward for Local 54, can no longer work as a result of her injuries. She spent two weeks in the trauma center at Atlanticare Regional Medical Center following the accident, and sustained injuries to her head, neck, back, shoulder and hip and has been totally disabled as a result of the accident.

PERSONAL INJURY PRACTICE GROUP SECURES A \$150,000 SETTLEMENT FOR A SLIP AND FALL IN ATLANTIC CITY

John Doe was a 55 year old man who slipped and fell on ice outside a grocery store in Atlantic City. He sustained a left ankle fracture which required open reduction and internal fixation of the fibula and tibia, as well as posttraumatic arthritis. Our firm was able to secure a settlement with the owners of the store as well as the owners of the property on which the store was located in the amount of \$150,000.

PERSONAL INJURY PRACTICE GROUP SECURES A \$200,000 SETTLEMENT FOR JANE DOE FOLLOWING A 2005 MOTOR VEHICLE ACCIDENT

Jane Doe was a 22 year old female involved in a motor vehicle accident in Ocean City, New Jersey when another vehicle disregarded a red traffic signal and struck her vehicle as she was traveling through the intersection, with the right of way. Ms. Doe sustained injuries to her right shoulder and neck which required three operations to repair. After settling her underlying claim with the adverse driver for \$13,500, our firm was then able to secure a \$200,000 settlement from Ms. Doe's underinsured motorist carrier.



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PERSONAL LINES ...

Youngblood, Lafferty and Sampoli, PA is happy to announce the engagement of Lisa Marcus to Darren Aberman. Lisa is a member of the Personal Injury Practice Group and has been a paralegal with the firm since 2007. Darren is an Officer with Atlantic County Sheriff's Office and runs their IT unit. A Fall 2010 wedding is being planned.



Stephanie Albrecht-Pedrick and Lisa Marcus at The Boutique Event, presented by the Atlantic County Women's Center, June 17, 2009

Congratulations to **Randolph C. Lafferty**, **L. Patricia Sampoli** and **L. Anthony Gibson** for being named as **2009 New Jersey Super Lawyers**. Super Lawyers is a listing of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. Considered among the best in their profession, Super Lawyers represent the top 5% of the practicing attorneys in New Jersey. The New Jersey Super Lawyers were selected by their peers in an extensive nomination and polling process conducted by Law & Politics. The lists are published annually in state and regional editions of Super Lawyers magazines and in inserts and special advertising sections in leading city and regional magazines and newspapers.

THE GENERAL LEGAL NEWS PROVIDED IN THIS NEWSLETTER SHOULD NOT BE RELIED UPON FOR LEGAL ADVICE. SPECIFIC QUESTIONS SHOULD BE DIRECTED TO OUR OFFICE.

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