

The Road To Justice Starts Here

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LEG FRACTURES FROM CAR ACCIDENTS: what you need to know

While a broken leg can be a serious injury no matter how it occurs, leg fractures caused by car accidents often can be devastating and severe.

Because of the sheer force a car accident applies on the body, bones may not only fracture, but may even shatter. Worse yet, leg fractures from car accidents can sometimes break the skin, which opens up the possibility of infection.

Normally, a simple leg fracture requires nothing more than a cast to keep the area immobile while the bone heals. Unfortunately, the process for healing a leg that's been broken in a car accident is often much more complicated. Because of the variety of complications that come with these types of breaks – multiple fractures, open fractures, damaged tissue, nerve damage – the healing process is usually long and stressful. It's even worse if the fracture occurred near a joint, such as the ankle, knee or hip.

While a cast would be needed for a simple fracture, a complex fracture often requires screws



and pins to hold the bones in place. That's if the bone is even salvageable. In some cases, the damage is so extensive that the bone has to be replaced with an artificial limb. The fact that we need our legs to move around throws an additional complication into the healing process. In many cases, the injured person is forced to keep weight off of the leg for several months to a year.

A complex leg fracture from a car accident can cause stress long after the bones heal, as well. In addition to months of what can be grueling physical therapy, people who have suffered these types of leg fractures are often plagued by chronic pain in the injured leg for years.

If you've suffered a broken leg or another serious injury in an accident, you should contact an experienced personal injury attorney, such as myself, to discuss your legal options. You can call our offices at 800-820-CRASH to request a FREE consultation or you can visit our website www.GhabourLaw.com for more information. ■

winter slips and falls

We all know that getting around during winter can be tricky when inclement weather hits. But what happens if you slip and fall on someone else's property due to ice or snow? Was it just an unavoidable accident, or was it possibly due to the negligence of the property owner?

Some examples of negligence can include:

- Failing to clear sidewalks or parking lots when it is that person's responsibility to do so;
- When icy patches are left on a sidewalk or parking lot due to careless snow removal;
- If black ice is not removed when it should have been prevented in the first place;
- If structural defects, like leaks, cause unnecessary accumulation of ice.

For business owners, it only takes a handful of critical steps to avoid this type of negligence. Although it can depend on where you live, property owners are usually required to take reasonable steps immediately following a storm to clear public passageways. This includes sidewalks, parking lots, entrance areas, and exit areas. When removing ice and snow, it has to be done with consistency, so no icy patches are left behind, and the entire area must be cleared. In areas where ice will form from melting snow, substances like sand or salt must be laid down to counteract it.

It's important to note that these types of negligence cases have to be examined individually, based on the specific circumstances surrounding the fall. Pedestrians are always expected to exercise caution in the event of adverse conditions. ■

HOW A DUI CONVICTION affects your car insurance

If you have been convicted of a DUI offense, the ramifications may extend further than you think. Not only do you have to face the legal system and everything that comes with the conviction, but the trickle-down effect may prove damaging as well.

After a DUI offense, your status with your car insurance provider will be up in the air because you'll be labeled as a "high-risk" driver. Once the insurance provider discovers your DUI, your rates could skyrocket, the provider may opt not to renew your policy, or they could drop you altogether.

There are a few ways that insurance providers ultimately can find out about DUI offenses. If you ever apply for a new policy, they will find it upon checking your records. In many states, a form called the SR-22 is also required to renew your license after it's been suspended, and you have to request that form from the insurance provider. The SR-22 also requires your insurance to notify the DMV if they decide to drop your policy.

The worst case scenario is that you'll be dropped by your insurance provider. It will be challenging to find a new provider that will agree to bring you onboard considering your record – with a DUI conviction and an insurance cancellation.

In some cases, however, providers never find out about a DUI. Occasionally, this happens because of a lack of correspondence between the courts and the DMV. However, it can also occur if the DUI is expunged from your record prior to the insurance provider finding out about it. This can occur as a result of a plea bargain or attending driving classes.

If you are facing a DUI conviction, an experienced DUI attorney may be able to help reduce the charges against you or beat them altogether – two outcomes that would go a long way toward avoiding major issues with your car insurance provider. ■

what does your car say about you? MORE THAN YOU MIGHT THINK.

Did you know that most vehicles these days are equipped with event data recorders (EDRs), which are small devices that record important bits of data about a car at any given moment, such as its speed, whether the brakes are applied, or whether your seat belt is buckled?

The EDRs, which are currently installed in approximately 90 percent of cars, only record data for a few seconds at a time, but in the event of a crash, the device logs exactly what your car was doing in the crucial moments prior to the collision.

While some argue that EDRs enable safety researchers to get inside a crash and potentially improve aspects of the vehicle, like passenger restraint systems, others are concerned about what happens if the data from EDRs fall into the hands of others, like representatives from your insurance company.

That's exactly what many drivers are growing more

wary of, since EDRs gather information that insurance claims adjusters are looking for following an accident. In addition to the vehicle's speed, direction and brakes, the EDRs record the number of crash events that occurred and how far the acceleration pedal was compressed.

Officially, insurance companies can only access this data with the driver's consent or if required to do so by law, like in cases concerning vehicular manslaughter. In many states, though, insurance companies may have attained that consent from you when you accepted their policy and agreed to cooperate in insurance claims investigations.

As you would expect, the use of EDR data has become somewhat of a controversy, with many claiming if you drive lawfully, it shouldn't matter what the devices record or who has access to the data. There is plenty of opposition, however, from those claiming such access is a breach of their rights by insurance companies and/or the government. ■

HOW YOUR BODY TYPE CAN affect BAC results

If you get stopped by the police and the officer suspects you of being under the influence of alcohol, there are a handful of things that the officer may do to try to determine if you have been drinking. These can include various "straight line" balancing tests or simply listening for slurred speech or trying to pick up the smell of alcohol on your breath.

Perhaps the most widely used tactic, however, is the breathalyzer test, which is used to determine a driver's blood alcohol content (BAC) level. If a breathalyzer test is administered, any reading of 0.08 BAC and above will result in a DUI charge in the United States.

If you are charged with a DUI, it may be in your best interest to get in contact with an experienced DUI attorney to help you with the legal process. In fact, a DUI attorney may be able to sway a judge's opinion in court if you have a particular body type.

Why is that?

As a general rule, the less you weigh, the less sheer volume of water you'll have in your system at any given time. Because your BAC level is determined by the amount of alcohol in your body divided by the amount of water in your body, people with smaller body types won't be able to dilute the alcohol as easily, generally resulting in higher BAC readings.

Similarly, BAC readings have also proven to be higher in people with a high body fat percentage. This is due to the fact that lean muscle contains a higher level of water than fatty tissue – meaning two people can have the same weight, but if one has a much higher body fat percentage, it could result in a higher BAC reading.

If you've been charged with a DUI and think you fit one of the above body types, make sure to talk to your attorney about it. By bringing into question whether the breathalyzer evidence in your case is accurate, the judge may be convinced to dismiss or lessen the charges. ■

Important Dates – January 2012

Jan 1 – New Year's Day

Jan 16 – Martin Luther King Jr. Day

Jan 17 – Ben Franklin's Birthday

Jan 23 – Chinese New Year

Jan 28 – Christa McAuliffe Day



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winter slips and falls



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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 acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

tips for using gift cards



If you happened to receive one of the most popular holiday gifts this season – a gift card – here are some tips to help you get the most out of your gift:

- ✓ Try to use it as soon as possible. It's far too easy to misplace a gift card or lose sight of it if it gets buried in your wallet or purse.
- ✓ Review the terms and conditions of your gift card to see if there are any fees associated with it.
- ✓ Remember that if you receive a gift card that is issued by one of the major credit card companies, you can use the card at any retailer that accepts their credit and debit cards.
- ✓ Don't blow your budget just because you are using a gift card. Many people end up spending far more than the value of the gift card when they use it.
- ✓ Be sure to write down the gift card number if it is from one of the major credit card companies since you may be able to get a replacement for a small fee if it is lost or stolen. Store gift cards usually can't be replaced since they are treated as cash.
- ✓ Hang on to your gift card even after you've used it just in case the retailer requires it for any returns you may have to make.
- ✓ If you have any problems with your gift card, you should contact the store or credit card company that issued it. If you still run into problems or can't get your issue resolved, contact the Federal Trade Commission at 877-FTC-HELP or our state attorney general. ■

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