

FALL
2008

SGP Skousen, Gulbrandsen & Patience, PLC

Brought to you by
Skousen, Gulbrandsen &
Patience, PLC
Attorneys At Law

414 East Southern Avenue
Mesa, AZ 85204
480-833-8800
800-501-2782
FAX: 480-833-7146
e-mail:
attorney@sgplaw.com
Web site:
www.sgplaw.com

OFFICE HOURS
Monday-Friday
8:00 a.m.-5:00 p.m.

PERSONAL INJURY PRACTICE

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- Trial attorneys

Highway medians and driver safety



To improve driver safety by reducing the likelihood of violent head-on collisions, highway engineers strive to separate lanes of traffic with ever-improving medians.

Safety enhancements include widening medians, lowering median elevations, installing concrete, steel-beam, or cable guardrails or other guides or barriers, and constructing shock-absorbing devices.

Dangerous roads

When medians are not in place or design is faulty, they can unduly subject drivers to injury. A driver was killed in a head-on collision. The driver's wife consulted an auto accident attorney who investigated the accident site. On the client's behalf, the attorney sued the driver of the other car. He also sued the city and county, which failed to install a guardrail on the road where the accident took place, even though numerous similar accidents occurred at the dangerous location in the past. The parties agreed to a structured settlement.

Txt msgng & drvng dangr

Please avoid the distraction of using high-tech devices while driving. Text-messaging, sending e-mails, checking global positioning, tuning satellite radios, scrolling MP3 players, and taking camera-phone pictures may all contribute to reduced attention to road conditions and lead to accidents.

A text-messaging driver looks away from the road up to 14 times every 30 seconds.



Instead, follow these safety suggestions:

- Concentrate on driving.
- If you must talk and drive, use hands-free devices.
- Pull to the roadside when using complicated electronic devices.
- Take calls on voice mail.
- Avoid emotional or stressful phone conversations while driving.

If you are in an accident and suspect the other driver was distracted, obtain legal help. An accident-specialist attorney can investigate other drivers' vehicles for evidence of electronic-device use, phone and e-mail records, and other sources to show a driver lost focus while driving.

We take your family's safety and security personally.

Insurance **OVERCHARGES**

In early 2008, the Consumer Federation of America (CFA) charged that the nation's property/casualty insurers were wrongly overcharging consumers for home and auto coverage while at the same time reducing claims payments to insureds.

The CFA reported that insurance company overcharges totaled about \$870 per U.S. household over the past four years. The consumer watchdog agency also said that insurers' profits, surpluses, and reserves were at or close to record levels.

J. Robert Hunter, CFA insurance director and study author, said, "Profits in 2006 rose to unprecedented heights, and 2007 may set a fourth consecutive profit record. Unfortunately, a major reason why insurers have reported record-high profits and low losses in recent years is that they have been methodically overcharging consumers, cutting back on coverage, underpaying claims, and getting taxpayers to pick up some of the tab for risks the insurers should cover."

Hunter, an actuary, former state insurance commissioner, and former federal insurance administrator, is a longtime insurance-industry critic.

Our law practice

Skousen, Gulbrandsen, & Patience, PLC, concentrates its practice on several key areas of the law.

The practice of law has become increasingly multifaceted, and our sophisticated clients expect and deserve legal guidance conscious of the fine distinctions of their particular situations.

Members of our firm, however, welcome a changing legal environment and are willing to explore new opportunities that are consistent with our firm's mission and goals.

The following is a brief list of our practice areas:

- **Auto accidents**
- **Serious injuries**
- **Wrongful death**
- **Motorcycle accidents**
- **Dangerous products**
- **Dog bites**
- **Criminal/DUI**



American juries **Fair and effective**

American juries are doing an excellent job. Although the right to a jury trial is a cornerstone of our democracy, some critics claim civil juries are irrational, unreliable, and biased against business.

American Juries: The Verdict (Prometheus Books 2007), a new work by two leading jury-research experts, Neil Vidmar of Duke University School of Law and Valerie Hans of Cornell University Law School, reveals that American juries are alive and doing very well indeed.

Book highlights

- Legislation and computer technology have improved juror selection, which more fairly and closely reflects the broader range of our communities' populations.
- Once citizen-jurors get into the facts and data of a trial—no matter what their personal views were prior to empanelment—the jurors' focal point in decision-making and reaching their verdict is the evidence presented by both sides in a dispute.
- Jurors generally believe that corporations should be held to a higher standard of care than individuals because businesses have the potential to hurt more people than any one individual can.



ANNOUNCING OUR NEW BLOG!

For those not familiar, blog is short for “Web log,” an interactive Web site where visitors post short thoughts and commentaries, ask questions, make observations, and chat.

Most blog entries appear in reverse chronological order at these online sites where the “buzz” in our community can be found.

Please feel free to visit our blog at www.sgplaw.com/blog for small articles, interesting thoughts, and news about the world, the law, and lots of other interesting things.

We greatly appreciate our visitors posting meaningful interactive comments. It’s easy to find us, and we would love to hear from you.



Other local blogs that community residents may want to visit include:

- Do you have enough auto insurance?
- Auto accident lawyers
- Auto insurance shopping
- Driver responsibilities

CLIENT-ATTORNEY PRIVILEGE

Q: Who holds the “privilege?”

A: The client. An attorney can release information only with authorization from the client.

Q: So, clients can trust their attorneys with confidential information?

A: Yes. An attorney may not reveal anything disclosed without client consent.

Q: Why?

A: Regulations governing evidence and rules of professional conduct require that attorneys maintain all specifics of a client-attorney relationship as strictly confidential.

Q: Should clients tell their attorneys everything?

A: Yes. It’s important to fully disclose all the relevant details of a case to a lawyer—positive and negative—so that counsel can represent the client confidently and appropriately.

Q: Why is that?

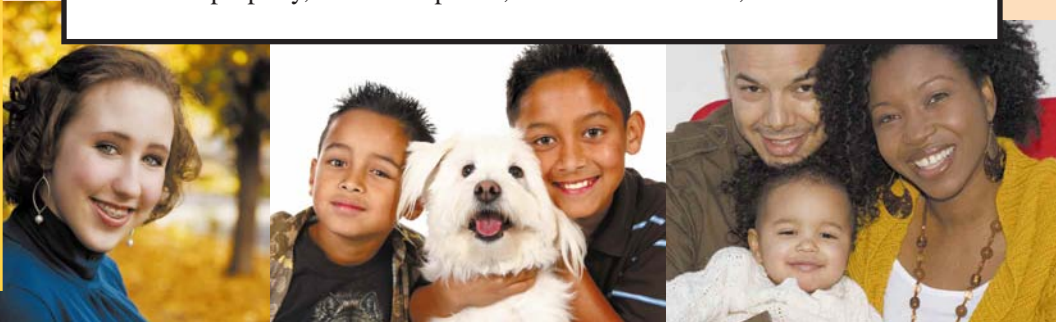
A: A client’s failure to be fully candid may adversely affect a case if the attorney is surprised or blindsided by critical information coming from anyone but the client at any time in the case. If there are problems with conflicts of interest or ethics issues, the attorney will advise a client immediately.



FOR YOUR SAFETY Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **Campbell Hausfeld** has voluntarily recalled 233,000 Campbell Hausfeld and Husky Air Compressors with motor protective covers that can ignite and burn users.
- ✓ **Kids II, Inc.**, has called back 15,000 Baby Einstein Baby Neptune™ Soothing Seascape Crib Toys with straps that can detach, posing choking hazards to young children.
- ✓ **Dollar Tree Stores, Inc.**, asks buyers to return 253,000 Crafters Square Electric Hot Melt Mini Glue Guns, which can short-circuit, catch fire, and shock or burn consumers.
- ✓ **Sears, Roebuck and Co. and Kmart Corp.** recalled 17,000 “My First Kenmore” Play Stoves. Metal brackets may cause a tip-over when the oven door is opened and injure young children.
- ✓ **Mantra, Inc.**, voluntarily recalled 38,250 Pressure Cookers. When closed improperly, lids can separate, release hot contents, and burn users.



Martindale-Hubbell Bar Register of Preeminent Lawyers

Skousen, Gulbrandsen & Patience, PLC, has earned a Preeminent AV rating in the *Martindale-Hubbell® Law Directory* for our legal capabilities and devotion to professional ethics. Since Martindale-Hubbell bases assessments on surveys of members of the bar and of judges, we take pride in our colleagues' recognizing and respecting the quality of our legal work.

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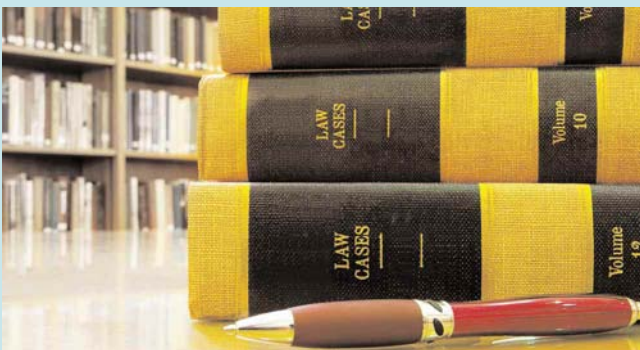
The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

Our paralegal staff

Our firm's paralegals are highly trained legal aides who perform valuable services for both lawyers and clients. Since their duties include significant and substantive legal work, they help lawyers provide legal services efficiently and economically.

Dedicated to professionalism and high ethical standards, paralegals...

- assume responsibility and accountability for their work
- communicate with clients
- conduct legal and other research
- coordinate with other attorneys, staff, and support services
- draft documents
- exercise good judgment
- display initiative in legal matters
- have a thorough knowledge of substantive and procedural law
- perform legal work under close attorney supervision
- prepare for and attend depositions
- and much more.



Personal injury issues



When innocent persons suffer serious injury from property owners' negligence, attorneys familiar with premises liability can help victims obtain compensation for medical bills, lost wages, pain and suffering, and other damages.

An experienced lawyer can evaluate an incident, communicate with property owners, negotiate with insurers, locate experts to testify on a plaintiff's behalf, if necessary, and present the case at trial.

An elevator attack

An apartment-building tenant entering an elevator was shot by a mugger four times. He sustained one wound to his head. When he sued, his attorney claimed the building's owner was aware that locks on doors were constantly broken. Although the owner claimed broken locks were irrelevant since the assailant followed the plaintiff into the building, the parties settled on the trial's third day.