

The
South Carolina
Accident Book

SECOND EDITION

**Avoid the Mistakes That
Can Wreck Your Injury Case**

Learn how insurance companies
may take advantage of you.

Understand the critical steps to take
immediately following an accident,
and much more.



SHELLY LEEKE
LAW FIRM, LLC

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IF YOU CAN ANSWER YES TO THESE FIVE QUESTIONS, WE MAY BE THE INJURY LAW FIRM FOR YOU.

1. Is there visible property damage to your car?
2. Was the accident someone else's fault?
3. Did you seek medical treatment no more than 3 days after the accident?
4. Have you followed the recommended course of treatment of your doctor?
5. Did the accident happen less than 18 months ago?

IF YOU CAN ANSWER YES TO EACH OF THESE QUESTIONS, GIVE US A CALL AT 843-297-8485.

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About this Book

This book was written for South Carolina residents. It is meant to be an essential and informative, yet easy-to-read guide for anyone in South Carolina. Whether you travel behind the wheel, by bike or by foot, on the road, sidewalk or on water, this book will be helpful to you. This is not a book of legal advice, nor is it intended to provide legal advice to any of its readers. Rather, the book is meant to provide you with background and knowledge about accidents. My goal is to educate you so that you have the information you need to protect yourself before you are involved in an accident.

This book will teach you to be aware of insurance companies' methods of taking advantage of the unaware consumer. This book will guide you in avoiding the critical mistakes that can destroy your South Carolina accident case. The book provides practical advice to help you decide whether or not you even need a lawyer for your accident case, how to handle your property damage claim, and even how to select the right attorney for your case. It also gives you tips to help you plan ahead and be prepared, just in case you are ever the victim of an unforeseen accident.

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Foreword

A serious accident and injury can ruin your life if you are not prepared to deal with the aftermath. This book is based on my experience in helping victims of accidents pick up the pieces and move on with their lives after a devastating accident. Accidents are unexpected. Like any unexpected event in life, it is simply easier to take the “it won’t happen to me” approach. I hope this book will be an easy-to-read guide that will give you information you need “just in case” an accident happens to you.

I believe the information in this book is helpful even if you are never involved in an accident, and I hope you will not ever find yourself in need of some of the information in this book. But, if you or someone you know is injured in an accident, I hope this book will help guide you and help you to avoid the pitfalls and unnecessary delays that may be encountered after an unfortunate accident.

I want you to be prepared, and I hope this book will assist you.

Shelly Leeke
Attorney

Introduction

Each day I talk with clients and callers to my law firm who have been injured in accidents by no fault of their own. Some have suffered devastating injuries and tell stories of financial and personal loss. I have found that most of the stories I hear may have had a better outcome or taken a smoother path to resolution if the victims had been armed with information to prepare them **before** they were in an accident. I wrote this book for consumers, not lawyers. I want this book to provide South Carolina residents with the information they need so they will know what to do and the mistakes to avoid after an accident. Even if you did not read this book before you were injured in an accident, you should still read this book. This book will help prevent you from becoming an unknowing victim again.

If you read this book and plan ahead before you are involved in an accident, you should have peace of mind that if you are in an accident, you are at least prepared for what to do. The last thing you need after being involved in an accident is to be stuck wondering what to do next and whom to call. It is my suggestion that you **read** this book, keep it in a safe place for future reference, and then request additional copies to give your friends and family so they have the valuable information that you have. You can request additional FREE copies of this book by calling my office or sending us an email.

Chapter 1: Why You Need This Book

If you are like most people, this is the first time you have been in an accident. You have questions. You are getting calls from the insurance company representatives, wanting to ask “just a few questions.” The insurance company may be pestering you to sign their forms so they can gain access to your personal information and medical records. They may even already have offered you money to settle your claim.

You started your search for an attorney, but found that most attorney advertising doesn’t give you any useful information at all about how to find the right lawyer for your case. You may have looked in the phone book and found that all of the ads say “hire us, we don’t charge a fee unless we get you money” or “free consultation,” but then you realized that ALL personal injury lawyers say that. You soon realized that ads that promised cash, showed car crash scenes or gave you sayings such as “we care for you” or “we’ll get your money fast” do not help you choose the right attorney for your case. (Shouldn’t you expect your attorney to care for you?)

Here are some other meaningless headlines you might see in the Yellow Pages:

(Ask yourself: Does this headline help me figure out if this is the right lawyer for me?)

- “We take your case Seriously”
- Free Consultation
- No Fee Until You Collect
- Injured? Just call.
- Legal Questions?
- Get the money you deserve...Fast!
- Can You Get a Lawyer Who Cares?
- All Accidents and Serious Injuries
- Accidents and Injuries
- We’re Here for You
- Legal Help

I wrote this book for YOU. I want you to have good information in the quiet of your own home BEFORE you hire a lawyer and before you talk to the insurance adjuster. And I want to tell you something you might have never thought you’d hear coming from a personal injury lawyer... you may not even need a lawyer to settle your claim!

My firm represents accident and injury clients throughout South Carolina. Most of our cases are referred to us by former satisfied clients and by other attorneys and

health care professionals. If we accept your case and you are not local to us, we will come to you, anywhere in South Carolina.

Sometimes the best advice you can get when you are thinking about a lawsuit is that you do not have a claim that can be won. If that is true, we will tell you. There are also times when you have a case that you can handle yourself, without an attorney. I will tell you when I think you are better off handling a claim yourself. But, if I accept your case, you can be assured that you will receive personal attention. We will represent you aggressively, keep you up to date on what is happening in your case, and give you advice as to whether you should settle your case or go to trial.

We will explain all fees and costs to you fully before we start working on your case. Together, as a team, we will work to get you the best settlement for your case.

Chapter 2: **What is a Personal Injury or Accident Case?**

An actionable personal injury occurs when a person is injured because someone else was careless or negligent. The injury may be to your body, your mind, or your emotions. A personal injury can occur when someone is injured in a car or truck, a motorcycle, a bicycle, a boat or someone else's vehicle on someone else's property, at a store or place of business. You may have also heard of a wrongful death case. A wrongful death occurs when someone dies as a result of someone else's carelessness or negligent actions.

The key ingredient to a personal injury or wrongful death case is that someone or something else caused the accident or injury. Now, just because you are injured and it wasn't your fault does **not** mean that you have a personal injury case that can be won. There are many factors that courts and juries consider, so it is always best to seek the advice of an attorney if you think you might have a personal injury case.

A personal injury case must involve an injury to your person. If someone else causes an accident and your high heel breaks or your watch is broken, but you are not hurt, then you do not have a personal injury case, but you may have a property damage claim.

Examples of Personal Injury Cases.

These are just a few examples of how a personal injury may occur:

Example 1:

Suppose you are walking down the aisle of a store and a large container falls on top of you. You fall and you break your arm and your eyeglasses break also. You may have a personal injury claim against the store for the broken arm and a property damage claim for your broken eyeglasses.

Example 2:

Suppose you are driving down the road and someone else pulls out in front of you and causes a wreck. If your car is damaged but your body is not hurt, then you do not have a personal injury claim, but you may have a property damage claim. If on the other hand, your car is banged up and you are also injured, then you may have both a personal injury claim and property damage claim.

Example 3:

Suppose you are waiting to cross the street. When the light changes to “walk” you start walking across the street. If a vehicle fails to yield to you crossing the street and hits you, then you may have a personal injury claim. If your watch is also broken as a result of the car hitting you, then you may also have a property damage claim.

Many personal injury lawyers do not handle property damage claims. If you have no personal injury, either your insurance company or their insurance company will usually take care of the property damage claim. If both you and your car have suffered an injury, then you have both a personal injury and a property damage claim. If my firm agrees to represent a client for their injury case, we will handle all aspects of the injury claim and also help our client(s) with their property damage claim, for FREE.

Chapter 3:

9 Steps to Take Immediately After an Accident:

1. Report the accident by calling the nearest police department or 911. Even if it is a minor collision, you should still report the accident to protect yourself in case of a liability claim by the other party.

2. Safety first. Get out of the roadway. Each year hundreds of pedestrians in South Carolina are injured or killed in the road following an accident. In 2006, one hundred twenty five pedestrians were killed in South Carolina roadways. You are undoubtedly shaken up after any accident, so take time to be aware of your surroundings and be careful.

3. Make sure the police officer completes a report AND that the report is accurate. You may not receive a copy of the police report at the scene. Make sure you obtain a copy from the police department. Take a look at the report to make sure the information is correct. Remember, the police officer most likely didn't see the accident happen; you did.

4. Take notes. Write down the names, addresses and telephone numbers of any person who witnessed the accident. If possible, get the name, telephone number and address

of the driver and each passenger of the other vehicle. Get the name of the police officer, police department and any emergency vehicles on the scene. Ask the witnesses what they saw. Remember, you are jotting down notes to prepare your case, should you need them later.

5. Take pictures of the accident scene. This includes pictures of the damages to both vehicles as well as the license plate of the other vehicle. Do not assume that if it is a minor collision, you don't need pictures. You never know if the other driver will file a claim for more damage than actually occurred in the accident. Many cell phones now come equipped with a camera, but it is a good idea to keep a disposable camera in your glove compartment or trunk also.

6. Know where your car is being towed and the name of the towing company. If your vehicle is towed, be sure to get the name of the tow company, their telephone number, and tell them where you want the vehicle towed BEFORE they tow the car. It is enough stress to have been involved in an accident, you don't want to be wondering what happened to your vehicle.

7. Go to the hospital or doctor immediately if you are injured. Even if you aren't severely injured, you may be sore the next day. Some injuries will only become problematic 24 to 72 hours after an accident, so be sure to

monitor your condition, and seek medical care immediately. Your injury may be worse than you first think.

8. Seek the advice of an attorney. It is advisable to seek the advice of an attorney. Each case is different, and it is always best to get the opinion of a lawyer, even if you don't think you need one. Most even offer free case evaluations. You can call or email me and I will evaluate your case and tell you if I think you need an attorney for your case, for FREE.

9. But do not discuss your injury claim until you have spoken with an attorney.

*What **Not** to Do After an Accident:*

1. Discuss fault with other drivers or passengers, or witnesses, no matter who was at fault.
2. Talk with the other person's insurance company or give a recorded statement, UNTIL you have spoken with an attorney.
3. Sign any insurance company documents or medical authorizations UNTIL you have spoken with an attorney.
4. Take a settlement from the other driver or the other driver's insurance company UNTIL you have spoken with an attorney.

Chapter 4:
Common Myths Exposed
You Might Have Heard From Friends,
Neighbors And Relatives:

These are just a few the common misconceptions I have gathered from callers and clients:

- If you are nice and reasonable with the insurance company, you will get a reasonable settlement proposal.
- When you are in an accident and the insurance company calls you to ask for a recorded statement, you have to give them a recorded statement or they won't settle with you.
- All lawyers who handle accident cases are the same. You can just pick one.
- The insurance company for the person who hit you is obligated to pay your medical bills as they become due.
- All lawyers charge the same fees in injury cases.

- If you are in an auto accident and it was not your fault, you are automatically entitled to a big settlement from the insurance company.
- Just because there has been an accident and it wasn't your fault, there must be some insurance company that will pay for your bills, lost wages and injuries.
- If a lawyer refers you to a doctor, that is always a great idea.
- Juries in South Carolina are generous.
- There is a formula for determining settlement value.

Are you really ‘in good hands’?

The Washington Supreme Court hammered Allstate several years ago for its “Quality Service Pledge.” The pledge said: “Because you have been involved in an accident with an Allstate policyholder, we will provide you with quality service... Your claim representative is dedicated to carrying out this Quality Service Pledge.” Allstate’s internal rules directed the adjuster to act as the injured party’s claim representative if he or she didn’t have an attorney, which essentially meant the adjuster was acting as if he/she had the injured claimant’s best interest in mind.

This case arose out of a claim for injuries filed by a woman after she was seriously injured by an Allstate insured in an automobile collision. Her Chrysler minivan was broadsided by an Allstate seventeen-year-old insured, causing it to roll. She suffered severe head and facial injuries. Her medical bills totaled nearly \$100,000.

The Allstate adjuster contacted the woman’s family and asked them to “trust” her and promised to treat them as if they were her own insureds. Allstate advised the injured woman to accept its offer of their insured’s policy limits of \$25,000. Allstate then advised them to sign an agreement releasing not only Allstate and the at-fault driver, but also the maker of Mrs. Jones’s mini-

van from any further liability. The settlement left the family with nearly \$70,000 in additional medical bills. Before the Release of Claims was signed, Chrysler had issued a recall for a defective safety belt in the woman's model vehicle. But the signed release prohibited her from pursuing Chrysler for any further damages for injuries caused to her by the defective seat belt.

When the woman tried to return the \$25,000 Allstate had paid her, Allstate said, "No, you signed a full release."

The court, in allowing the injured woman to proceed with her bad faith lawsuit against Allstate, said that Allstate had a stated **goal of reducing attorney involvement** in the claims process to achieve a higher rate of return on settlement claims:

Here, Allstate's claims adjuster's conduct fell below that standard when she advised the Joneses to sign a release of liabilities, did not properly advise the Joneses that there were potential legal consequences of signing a settlement check and release of all claims or refer them to independent counsel, and did not fully disclose the conflict of interest she presented.

Jones v. Allstate Insurance Co., 146 Wash.2d 291 (2002).

LESSON: You are not "in good hands" if you rely on insurance companies to take care of you.

Chapter 5: Tricky Insurance Companies May Take Advantage of You

The answer to why you shouldn't trust the insurance company is really quite simple. The insurance company is NOT your friend. The primary goal of an insurance company is to make profits. They train their adjusters first and foremost how to save the company money by settling claims for less than a case is worth. Insurance claims adjusters handle injury claims all day, every day. This is their job. They have extensive training in saving their companies money. They have technology available to them every day to pick apart claims. Many companies pay adjusters bonuses based on how much money they save the company.

Keep in mind, insurance companies have spent billions of dollars in getting their message to the American public to try to convince people like you that the legal system is out of control and that people who file lawsuits for injuries are getting millions of dollars for minor injuries. They say that paying injury claims forces insurance premiums to rise. This is simply not true. In 2007, insurance companies reported record profits of over 60 billion dollars. They are among the most profitable businesses in the country. Injury claims aren't starving the insurance companies;

rather, insurance companies are starving injured victims. Premiums continue to rise because insurance companies are greedy. The unfortunate effect of the insurance industry's false story is that when people believe the story, they have a negative outlook on injury cases and lawyers. This in turn has a negative influence on juries and verdicts.

TACTICS USED BY THE INSURANCE COMPANY TO TAKE ADVANTAGE OF YOU

It's an unfair playing field, so you must be prepared.

The day you were injured, you stepped on to an unfair playing field. Remember, after you have been in an accident, you are understandably upset. You may be without a car and you may be injured. You need help. But be aware, the insurance companies look for ways to deny claims. The claims adjustor deals with accident victims on a full-time basis. They will use skillful tactics to put you at an even bigger disadvantage in your case. The best approach you can take is to be aware and knowledgeable of what to expect from an insurance adjustor and how to respond appropriately so you **don't** wreck your case.

Here are Some Common Tactics Used by Insurance Adjustors You Need to Be Aware Of:

1. The Recorded Statement Regarding Your Injuries.

The insurance adjustor will likely call you shortly after the automobile accident to ask you for a recorded statement about the accident. Beware that your statement may be used against you. No matter how sincere the adjustor may seem, do not give the adjustor a recorded statement. Be courteous, but tell the adjustor you are not willing to make a statement at this time. The reason you do not want to give a statement is because the adjustor will use your statement against you to pick apart your injury claim later. For example, suppose your face suffered burns or lacerations from the air bag deploying during the accident. Your face may be the only thought on your mind, and understandably so. However, if you also injured your knee or some other part of your body that you simply forgot to include in your statement to the adjustor, they will use the statement against you later to paint you as a liar, and may even try to use it as a basis for denying your knee injury. I do not want to scare you; the insurance adjustor is simply doing her job. She may be a very nice person, but her job is **not** to help you. Her job is to help the insurance company save money.

2. Telling You if You Do Not Give a Recorded Statement, They Will Not Settle With You.

This is simply not true. You have no obligation to give a recorded statement to the adjustor. The recorded statement will only hurt your injury claim. Any inconsistencies in the statement may be used to deny or lowball your claim. Remember, you are not under any obligation to the other party's insurance company. If you have an attorney, give the adjustor the name of your attorney and tell him or her to direct all further correspondence to your attorney. If you do not have an attorney but plan to hire one, then ask the adjustor for his or her name, telephone number and claim number and give the information to the attorney at your first meeting.

3. Telling You All Your Money Will Go To the Lawyer.

I have had more than one person come to me, reluctant to hire an attorney because they heard from an adjustor that the lawyer would take all the settlement money and leave them with nothing. Why would the adjustor say this? Remember, the objective is to save the insurance company money, not you! They say these things because insurance companies know that injured victims' settlements are 3 ½ times greater when they are represented by attorneys. Keep in mind, most personal injury attorneys offer free case evalua-

tions, so what do you have to lose? You may not even need a lawyer, but it is certainly in your best interest to find out BEFORE you try to settle with the adjustor on your own.

- 4. Acting Like Your Friend and Making False Promises.** Beware of the adjustor who befriends you, shows up at your house and promises to pay your future medical bills. This is a tactic to stop you from hiring a lawyer. No matter how “easy” they may make it sound, always remember who the adjustor works for. Once you have an attorney, they won’t be your friend anymore. They use the “friend” tactic to make you think they are looking out for your best interests. They are not.

- 5. Asking You to Sign Medical Authorization Forms.** Insurance companies will ask you to sign medical authorization forms that will give them full access to ALL of your medical records. This means that they can obtain your private medical information dating back long before the accident. They will be able to get completely irrelevant information, even records from psychologists and psychiatrists. If you have an attorney, he or she will know what medical records the insurance company is entitled to and when they are entitled to the records. Do not sign away your privacy rights without at least consulting with an experienced attorney first.

6. Deliberately Delaying Settling Your claim or Speaking With You About Your Claim.

After an accident, you may be in a financial bind. Your goal is to get on with your life as quickly as possible. The insurance companies know this. They know that even if you have health insurance, you still may not be working which makes it difficult to pay co-pays and meet deductibles. The insurance company knows that you need to pay your bills, so they take their time with your claim. If you get in enough of a bind, you may take a low ball offer.

7. Disputing Your Medical Treatment and Bills.

I have asked many times, and never have I met an adjustor who went to medical school. Yet these adjustors seem to know just when you should be finished with treatment for your injuries and exactly how long it will take for you to recover. Insurance adjustors claim to “know” that you were over treated because “our computers say you should have been better by now,” or “the computer says your injury should only a certain amount of time to recover.” Their computer program may categorize your injury so they will try to use this as a basis for disputing your treatment. Think about this, if they deny just 5% of each injured person’s medical bills, this could add up to millions of dollars each year, making the insurance companies richer by giving you less.

8. **Misrepresenting Insurance Benefits.** This is a big one. They tell you that there is a minimum amount of coverage, which in South Carolina would be \$25,000. You have no way of knowing if this is true or not. Yet, it is not uncommon for additional coverage or an umbrella policy to “magically” appear once a lawsuit is filed. Do you think they knew that just by looking on their computers before a lawsuit was filed? Of course, they did.

Chapter 6: Do I Have A Case?

WHAT MUST YOU PROVE TO WIN YOUR CASE?

Just because you were hurt does not mean you are entitled to money. You must prove that someone else was negligent or careless and that it was his or her negligence or carelessness that caused your injury. If you fail to do this or cannot prove this, you will not win your case. If you sue the wrong person, you will not win your case. If you wait too long to sue, you will not win your case. If you had an injury before the accident, then you are only entitled to be compensated to the extent your injury is now worse.

In South Carolina, you can only recover to the extent that you were **not** at fault for the accident. This is called comparative negligence. Your recovery will be reduced by your percent of fault in causing the accident. Further, if you were more than 50% at fault, you cannot recover anything.

Chapter 7: You Might Be Better Off Without a Lawyer

DO YOU REALLY NEED AN ATTORNEY TO SETTLE YOUR CASE?

Guess what? You MAY NOT need an attorney to represent you in your injury case. In fact, I will tell you if I think you would be better off handling your case on your own. You probably do not need an attorney for a very small injury case. If you were in an accident where there was little or no property damage, the attorney fees and costs might leave little or nothing for you after your medical bills are paid. I would not even agree to take your case if there is little or no property damage or there is no medical treatment shortly after the accident. Why not? Simple. It has been my experience that in very small wreck cases, you may be able to get a settlement near or close to what a lawyer could get, and you don't have the added expense of attorney's fees. I want my clients to be satisfied that they have gotten a fair settlement. My goal is to get you full compensation for your injuries. My firm is dedicated to being honest and fair. Sometimes, that means I will tell you that I think you would be better off settling on your own.

Even though you may not need an attorney to represent you in your case, you should NEVER settle a case without knowledge and understanding. Even if you think that you are not injured or that your backache or sore neck is minor, you need to keep in mind that many times a seemingly minor injury or soreness can turn out to be a severe injury weeks or even months down the road. You should know if you have a severe injury and are rushed to the emergency room for surgery or a broken bone that you DO NEED a lawyer. But, if your injury doesn't at first seem all that bad, it is always better to be cautious and have yourself checked out by a doctor and consult with an attorney. Remember, most personal injury attorneys offer free consultations, so consult with an attorney before deciding to settle on your own.

Before you decide you don't need an attorney...

Did you know that a 1999 study found that insurance companies pay higher settlements to injured people who use an attorney than those who do not?

It's true. In 1999, the insurance industry performed a study to find out if people who had accident claims received more money in settlement by using an attorney than those people who settled on their own. The study was performed by the Insurance Research Council, a non-profit organization that is supported by leading property and casualty insurance companies across the United States. The mission of the IRC (ircweb.org) is to advance the insurance industry's view on matters crucial to insurance companies. The IRC found that people who used an attorney received, on average, 3½ times more money in settlement than those individuals who settled on their own.

Chapter 8: What You Should Expect From a Lawyer BEFORE You Sign A Fee Agreement

Before you make an appointment with any lawyer, you should ask them to send you their package of written information which should include, at least the following:

1. A sample fee agreement.
2. A full written explanation of the steps involved in a personal injury lawsuit.
3. A full explanation of who will be handling your case and the attorney's communication policy. Make sure you are kept informed and up to date on the status of your case.
4. A written assurance that he or she carries "malpractice" insurance in the amount of at least one million dollars.
5. A full explanation of the fees and costs, the difference between the two, and how the percentage fee is calculated.
6. A professional biography that outlines at least how long he or she has been actually been handling injury cases.

Chapter 9: How To Choose The Attorney For Your Accident Case

Choosing an attorney to represent you is an important but daunting task. You may have started your search for an attorney in the phone book. If so, you already know that there are at least 75 pages of attorney ads and the worst part is they all shout the same thing: “Hire Me,” “No Recovery, No Fee,” “Free Consultation,” “We’ll Get Your Money Fast.” With all the advertising but zero informative information on how to choose, how do you determine which is the best lawyer for your case?

The decision certainly should not be made on the basis of advertising alone. The Yellow Pages are filled with ads—all of which say basically the same thing. You should not hire an attorney based solely on advertising. Anyone can buy a slick commercial, and many have.

There are certain questions to ask that will lead you to the best attorney for your case, no matter what type of claim you have. Yes, it will involve some time on your part, but that’s OK, because the decision you are making may be critical to the success of your case.

In my opinion, the world of personal injury law in South Carolina is very complex. This requires a lawyer who handles accident cases regularly, on a full time basis, and has handled many cases. Your criminal lawyer may be the best in town, but would you go to your dentist if you needed back surgery? Probably not. Find an attorney who regularly deals with accident cases and has procedures in place to ensure you get the adequate attention and knowledge your case deserves. Here's a clue in weeding through the phone book: does the attorney ad list 17 different "areas of practice"?

So, how do you find out who is good in your area?

Here are some tips:

- Read Chapter 12 in this book to learn what you need to know about lawyer advertising.
- The Yellow Pages can actually be a good source of names. Understand three things, however. First, not everyone advertises in the Yellow Pages. Most of our cases come from referrals from other attorneys or from satisfied clients. Second, be careful about the ads that tout too many different practice areas. No one can do everything well. Make sure that the attorney you hire is selective enough with his or her cases that your important case does not become a file in the pile.

- Get a referral from an attorney that you know. He or she will probably know someone who does a lot of work in your area of need. If you need an attorney in an area of practice that we do not do, call us. We'll help you find the right lawyer for your case.
- The South Carolina Bar Association has a lawyer referral service. Understand that lawyers have signed up and paid a fee to be listed in certain specialties. Their names come up on rotating basis. This is another good source for a free initial appointment.
- Choose an attorney who understands your injury. Ask questions about the attorney's knowledge of your type of injury— for example, a spine injury.
- Be careful about any attorney who rushes you to sign a fee agreement, or rushes you through the consultation. You do not want an attorney who is going to rush you into a bad settlement.
- Be extremely cautious of an attorney you don't know who actively solicits you by calling or writing you just after your accident. In South Carolina, this is not only rude and disrespectful, but may be unethical. If you are contacted "cold," it should be for the sole purpose of providing you free information that you can study

in your own home, on your own time, not soliciting your case.

- Beware of “runners.” A “runner” hangs out at the police station or listens to police radio to “run” to accident scenes or hospital rooms to encourage victims to sign contracts with attorneys. Outrageous does not even begin to describe this practice!

Here are a few factors and good points to look for and question your attorney about.

Note that not every attorney will meet all of these criteria, but the absence of several of the following should be a question mark.

Experience

Obviously, the longer an attorney has been practicing a particular area of the law, the more he or she will know. Experience can be a big factor in many cases.

Respect in the legal community

Is the attorney involved in the legal community. Does he or she stay continuously up to date on current cases and laws pertaining to your case?

Membership in trial lawyer associations

In our area, you can certainly find a lawyer who is a member of the South Carolina Association of Justice and the American Association for Justice. These organizations provide extensive education and networking for trial lawyers.

Publications

Has your attorney written anything that has been accepted for publication in legal journals? This is another sign of respect that the legal community has for his or her skills and experience

Licensing

Ask your attorney if he or she is licensed in the state where your case will be filed. I believe that an attorney who is not licensed in the state where the case will be filed is at a disadvantage when it comes to negotiating with the insurance company. The insurance companies know who is not licensed and can actually try the case. Dealing with a lawyer who is not licensed in South Carolina can be a “kiss of death” to your claim.

Choose an attorney who is competent and with whom you feel comfortable.

Law Firm Communication

It is important to know how your attorney will keep you informed about the progress of your case. Who do you need to talk to if you have questions or concerns? Many attorneys send a copy of every piece of correspondence sent and received in the case to the client. This is my firm policy. I have been told by some clients that in previous experiences they had never even spoken with the lawyer on their case after they hired the law firm. This is absurd. Your attorney should take time to explain the “pace” of the case and in what time frames you can expect activity to take place. Your attorney should also make time of his or her own to speak with you about your case in order to stay up to date on the progress of your case.

In my office, clients can schedule a phone or office conference to talk with me about their cases. I find that having scheduled office and phone conference time enables me to devote time directly to each case so that you can ask any question you may have and I am able to focus all of my attention on your case individually.

Find out who will actually be working on your case

Make sure that you and your attorney have a firm understanding as to who will be handling your case. There are a lot of things that go on with a case that do not require the senior attorney’s attention. However, it is very im-

portant that you have an attorney who will be knowledgeable about your case and stay up to date on your medical treatment to ensure that you are receiving adequate care and that nothing is overlooked. How your case is handled can significantly impact the value of your case. At my firm, the attorney will review ALL correspondence received on your behalf and will monitor the progress of your case throughout your case. Your case will be reviewed by your attorney frequently to ensure all aspects of your case are being handled appropriately. You will be assured that an attorney, not a paralegal or legal secretary, is responsible for managing your case.

Once you have decided on an attorney, make sure you both understand your goals and how your relationship will work.

Chapter 10:

What Does A Personal Injury Lawyer Do?

Here is a more or less complete list of the tasks that are done in order to work up a personal injury case. Every case is unique, and not all of these tasks will be required or even relevant to every case. The tasks include:

- **Initial interview** with the client.
- **Educate client** about personal injury claims.
- **Gather documentary evidence**, including police accident reports, medical records and bills.
- **Analyze the client's insurance policy** to see what coverage is available to pay the client's damages and losses while the claim is pending.
- **Analyze the client's insurance coverage** and make suggestions as to what additional coverage should be purchased for future protection.
- **Begin initial investigation**, to include: interviewing known witnesses, collecting photographs and physical evidence.
- **Analyze the legal issues** including liability issues and potential legal defenses
- **Review medical records** or obtain written reports from the medical providers to understand the client's condition fully; speak with client's physicians to understand the client's condition and injury.

- **Analyze the client's health insurance policy** or welfare benefit plan to ascertain whether any money must be repaid.
- **Analyze the validity of any liens on the case.** Doctors, insurance companies, welfare benefit plans and employers may assert that they are entitled to all or part of the client's recovery.
- **Contact the insurance company** to put them on notice of the claim, and maintain contact with the adjuster about the case so that appropriate reserves are set to settle the case.
- **Analyze the at-fault party's insurance coverage** to ascertain adequate coverage and notify insurance company of any potential policy limits claim.
- **Enter negotiations with the insurance company** in an effort to settle the claim without litigation.
- **Negotiate medical bills and subrogation claims** for the client, asserted by the client's insurance company, worker's compensation carrier, or governmental agency that provided benefits to the client.
- **Draft the Summons and Complaint** to file in court, if a lawsuit is to be filed.
- **Prepare the client** for his or her deposition.
- **Prepare written questions and answers** to the defendant and other witnesses.
- **Prepare for and conduct the deposition** of the defendant, any witnesses and medical providers.

- **Produce to the defendant all of the pertinent data** for the claim, such as medical bills, medical records, and tax returns.
- **Hire necessary experts** to support or prove the client's claim, including other physicians, economists, engineers, vocational experts, etc.
- **Prepare for trial and/or settlement** before trial, and prepare the client and witnesses for trial.
- **Organize** the preparation of all exhibits for trial.
- Prepare for mediation and/or arbitration.
- **Go to trial** and try the case in front of a jury or judge.
- **Analyze the jury's verdict** to determine if either side has good grounds to appeal the case.
- **Make recommendations** to the client as to whether or not to appeal the case.

Chapter 11: The Legal Process In a Personal Injury Case

After gathering all of the facts and medical records and after your medical treatment has ended, your attorney will develop a settlement strategy with you and attempt to get your case settled with the insurance company. There are many reasons to settle a case, including the fact that we are living in a very conservative part of the country as far as jury awards go, your attorney fee can be less if your case can be settled, and your costs will usually be less than if the case goes to trial. Your attorney will help you analyze the insurance company's best offer and compare it to what you might get by going to trial. Of course, you must know that every case (even "obvious" cases) can be lost.

Sometimes, attempting to negotiate with the insurance company before filing suit is not a worthwhile endeavor. It is generally a dangerous practice to wait until the statute of limitations has almost expired to file suit. In South Carolina, the statute of limitations for automobile accident claims is typically three (3) years, with exceptions. While there are legitimate reasons for delaying filing suit, there is no excuse for the practice whereby an attorney waits until the last moment to see if the insurance company will settle your case. Any number of problems can arise. For example, you may sue the wrong or incorrect defendant,

or any number of other problems that can be avoided or corrected if suit is filed far in advance of the tolling of the statute of limitations. In my practice, I will not represent someone who waited until the statute of limitations is closing in to seek representation, absent a very good reason.

If a case cannot be settled and a lawsuit is filed, both sides engage in the legal process called discovery. Each party is allowed to investigate what the other side is going to say at trial. The defendant will be permitted access to your medical and work history, including your income records. You may have to give a deposition under oath. The defendant is also subject to discovery. He will answer written and oral questions about his own background and he will have to give sworn testimony about the incident at issue.

Typically, in South Carolina, once a case is filed, a trial date will not be set for at least one year after the date of filing the lawsuit. At trial, either a judge or jury will hear all of the evidence and testimony presented and decide how much, if any, money you are entitled to for your medical bills, lost wages, and pain and suffering.

Chapter 12: The Top Six Points You Need To Know About Lawyer Advertising

If you find yourself in the process of trying to find a personal injury attorney for your case, you will undoubtedly soon discover that there are MANY attorneys who advertise that they handle personal injury cases. Most of the ads are all the same. There is an offer of a “free consultation,” a laundry list of the types of cases the firm handles, a picture of the attorney, a phone number and an attempt to get you to “CALL NOW.” This can all be confusing, if not downright frustrating! Although the television, radio and Yellow Pages are all certainly good starting points for obtaining names of attorneys, and my firm does advertise, you do need to be aware of some important information when it comes to lawyer advertising.

1. There are no rules that prevent an attorney from advertising for personal injury cases even if he or she has never handled a personal injury case before.
2. The Yellow Pages and television stations do not verify the information contained in attorney ads.
3. The lawyer you see on television advertising the firm may not even work on your case. Some lawyers may advertise their law firms but have associates who

handle all of the cases received from the advertisements. They spend big money on advertising to get a load of personal injury cases that may be dumped on the other lawyers in their firm, or even referred out to another firm. You may never even speak to the “TV lawyer.”

4. Just because a lawyer has a big Yellow Page ad or billboard, or is on TV all the time, does NOT mean the lawyer is necessarily super successful in the handling of his or her cases. Some lawyers run their practice based on quantity and not necessarily quality. The goal of these firms is often to make a small amount of money on many cases. They will settle (or have other lawyers in their firm settle) as many cases as possible in the least amount of time, which can easily result in a settlement for less money than the case is actually worth.
5. Some lawyers do not do any of the work on the case themselves. They have an assistant or paralegal do all the work. The only time the lawyer even looks at the case is when it is ready to be settled and the lawyer can collect a fee.
6. Be wary of lawyer ads that created unjustified expectations. Just because a lawyer claims to be “aggressive” or to “get money fast” does not mean he or she is willing to do the work necessary to get the best result for your case.

Chapter 13: The Biggest Mistakes That Can Wreck Your Injury Case

1. **Not calling the police.** No matter how small your accident may be, it is always a good idea to call the police so that your accident is documented. If you do not call the police, it is very difficult to prove your case, and the insurance company or the person who caused the accident may dispute the facts of the case if there is no documentation of what happened.
2. **Waiting too long to seek medical treatment.** Initially after an accident you may not think you are injured. Some injuries such as whiplash, muscle strains or even serious back injuries, may not cause you pain until days after an accident. However, time and again I have seen cases where the insurance company tried to say that if you were really hurt you would have gone immediately to the emergency room or seen a doctor the next day.

It is extremely important to seek medical attention as soon as you realize you are injured, and I recommend seeking medical attention **immediately**. Insurance companies and jurors expect to see immediate complaints of pain and injury in the medical records. It may

not be convenient to wait at the accident scene for the ambulance or have to wait until your turn at the emergency room. Nevertheless, you should at least go to the hospital, an emergency care center or your primary care doctor within twenty-four hours after the accident. Waiting to see if your pain goes away or toughing it out and treating your injury with over-the-counter medications is a straight path to wrecking your injury claim.

- 3. Giving the at-fault driver's insurance company too much information.** The insurance adjustor for the other side will probably call you right after the accident to get the "facts" of the accident. You may think by calling you so quickly that they are delivering fast service and so you do not need a lawyer. Do not misinterpret their fast response to the accident as their intent to help you out. They will ask you to give a recorded statement that may be used against you later. You may not have been at fault in the accident, but the adjustor is trained on how to interview you. You could end up having words put in your mouth or even worse, admitting to part or full responsibility for the accident. Talking to the insurance adjustor without first speaking with a lawyer can put you on the path toward wrecking your case.

4. **Hiding past accidents or injuries from your lawyer or doctor.** I have had clients say they didn't tell me about a prior accident they were involved in because they didn't think it mattered, or because it happened a long time ago, or they didn't want me to think they were just looking to get money from the accident. All of these reasons may be understandable, but they are **mistakes.**

The insurance companies have access to extensive databases that enable them to find out personal information such as how many accidents you have been in and how many times you have made an injury claim. They will try to use the information against you. Not giving accurate information to your doctor or lawyer, or trying to hide information from them can destroy your case. Remember, your lawyer is on your side, and he or she must have complete and accurate information on your medical history and prior accidents in order to fully protect you.

5. **Missing doctor's appointments or having "gaps" in medical treatment.** It is very important that you follow the doctor's recommended course of treatment for your injury and do not miss doctor's appointments. The insurance adjustor will comb your medical records and judge your injury claim based on how long you

treated with a doctor and whether you missed appointments or had significant periods of time in which you didn't go to the doctor. You may have a busy week or a legitimate reason for missing a doctor's appointment. However, the insurance company will say you weren't hurt that bad if you have a lapse in treatment in your medical records. Even if you tell your doctor you couldn't get off work or you were stuck at home with a sick child, you can bet your legitimate excuse will not show up in your medical records and the insurance adjustor may use the gap as a reason for discounting your injury claim.

The reality is, jurors judge your injury and how badly you were hurt based on how long you treated with a doctor and how often you went. They think if you were really hurt, you wouldn't have missed appointments or not gone to the doctor for long periods of time. The insurance adjustor knows this and will pay less for a claim if you have "no shows" in your records or significant periods of time in which you didn't go to the doctor. Skipping doctor visits or failing to go to the doctor for a week or more at a time will certainly put you on the path to wrecking your injury case.

6. **Stopping medical treatment before you are released from your doctor.** You should follow the full course of treatment prescribed by your doctor. It may be inconvenient to have to go to the doctor after an accident. However, the insurance adjustor will not believe you were injured if you do not have adequate documented medical treatment. You may start feeling better within a week or two after an accident as a result of your doctor's treatment. However, injuries take time to heal and your doctor will know when you have fully recovered or when there is nothing further he or she can do for you. If you stop going to the doctor before he or she releases you, your medical records will reflect that you discontinued treatment. The insurance adjustor will use this information to devalue your case. Stopping medical treatment before the doctor releases you can wreck your case.

7. **Failing to document ALL of your injuries.** You must tell your lawyer and doctor *ALL* of your injuries. You may feel like you will look like a baby if you tell your lawyer your finger was jammed in the accident or that your head hurts. However, a sure way to wreck your case is to keep pain or injuries from your doctor or lawyer.

I had a client once who was treated for a back injury after a fairly serious auto accident. Just before we settled his case, he came in to my office to drop off some documents. I noticed he had a four or five inch deep scar on his leg. It appeared to be recent and when I asked about it, he told me glass had gashed his leg in the wreck. Turns out he duct-taped the cut together and never told me or his doctor about the injury because “he could handle” it himself. I asked him if he could handle the fact that he could have cost himself thousands of dollars by not telling his doctor or me about the glass cut when we asked about his injuries. Not telling your lawyer and doctor EVERY detail of your pain and injuries can wreck your case.

- 8. Believing if you go to the doctor too much he or she will get all of your settlement money.** Time and again I have had clients tell me they did not want to go to the doctor regularly or for as long as they were in pain because they were afraid the doctor bills would be more than their settlement, leaving nothing for their pain and suffering. In fact, the opposite is true.

If you are injured, the only way the insurance company or a juror is going to believe you is if a doctor says you were injured and continues to say you are injured by documenting your doctor’s visits.

The more severe your injury, the more your claim is worth. It makes sense, if you only go to the doctor for a week, your bill will be less, but the adjustor will think you must not have been hurt, so you aren't entitled to much for pain and suffering. Do not make the mistake of thinking the doctor bill will leave you with no money for pain and suffering. This is not true and is a mistake that could wreck your injury case.

9. **Misrepresenting your activity level.** Insurance companies routinely hire private investigators to conduct videotape surveillance. Now, they also troll Facebook, YouTube, MySpace and other social networking sites or even "Google" you. If you claim that you cannot run, climb or stoop, and you get caught on videotape or brag about club dancing on the Internet, you can forget about your claim. There is no explanation, other than "it wasn't me," that can overcome the eye of the camera. Lying or exaggerating your injury is a sure way to wreck your injury case.

Chapter 14: **What is My Case Worth?**

The most common question posed to my office is “what is my case worth?” The truth is, every case really is different and your case may be worth more or less than another person involved in the same accident. There is simply no formula to plug in to a case that will give an exact value. There are, however, several factors that I use when evaluating each client’s case. Some of the factors will not apply to every case, but these are things the insurance adjustors will also use in determining a value for your case. A personal injury lawyer who has experience in dealing with accidents and injuries will know how to weigh these factors in a case. These are some of the factors I use:

- Who was at fault?
- Did the client contribute to the accident, i.e., was he/she at fault in the accident in any way?
- What is the extent of property damage to all vehicles involved?
- What is the amount of insurance available from all sources?
- How many people were injured (how many people will be making injury claims)?
- Did the airbags deploy?

- Was the injured party wearing a seatbelt?
- How serious were the injuries?
- What is the amount of the medical bills?
- What is the length of medical treatment?
- What is the type of injury?
- What are the out of pocket expenses?
- How much are the lost wages?
- What are the projected future medical bills?
- What is the permanency of the injuries?
- What is the loss of future wages?
- Did the injury result in surgery or was surgery recommended?
- Were there any pre-existing injuries?
- Is the injured person likeable, truthful? Has he or she done what is necessary to recover from the injury?
- What insurance company is on the other side?
- Who is the adjustor or attorney on the other side?

The only absolute is that your case is almost NEVER worth more than there is available insurance coverage. Let me explain what I mean by this. Assuming there is only minimal insurance coverage for the other driver, which in South Carolina is \$25,000 per person involved. And assuming there is no other available insurance coverage to pay your medical bills and pain and suffering, then no matter how much your case is worth, you are unlikely to ever see a dime more in recovery than the policy limits of

\$25,000. The reason is that even if you had medical bills totaling hundreds of thousands of dollars and sued the at-fault driver successfully, your verdict may be well above the \$25,000 he had in coverage, but if he has no money, you get no money. He will not be forced to sell his house and all his possessions just because you have a judgment that says he owes you a million dollars.

Chapter 15: More Insurance Company Tricks:

- Wrongly telling their own insured that they have to go through the careless driver's insurance company to get their car appraised/fixed since it was "the other guy's fault." This simply is not true. If you carry collision coverage, you paid your insurance company a premium for service. It is often quicker to go through your own insurance company to get your car fixed. Yes, you will pay the deductible up front but your insurance company should get that back from the other insurance company and reimburse you.
- Entering a secret "side agreement" with the at-fault driver's insurance company to get reimbursed for medical bills it paid and never telling you about it.
- Secretly videotaping you and talking to your neighbors about you just to get some "dirt" on you to use in settlement negotiations.
- Trolling YouTube, Google and Internet social networking sites for your postings and videos of activity and sometimes attempting to be a "cyber-buddy" to get you to admit certain facts.

- Putting their own insured at risk of financial ruin by failing to settle claims fairly and by failing to advise their insured of settlement offers. There have been cases where one of the largest car insurers in the world subjected their own insured to a large verdict and judgment against them personally because their own insurance company refused to settle their case fairly. Suppose a negligent driver has only \$100,000 in insurance (a very low number, considering the cost of medical care), but the case is legitimately worth several hundred thousand dollars. The insurance company makes a low-ball offer that is rejected. The jury returns a fair verdict of **several** hundred thousand dollars. The insurance company only has \$100,000 to pay, leaving their own customer with a recorded judgment of several hundred thousand dollars. Try getting a mortgage with a judgment like that against you!

11 Questions to Ask The Insurance Company Who Wants You to “Just Sign a Few Forms and Give us a Statement:”

- Will you put in writing that the accident was not my fault?
- Will you tell me how much insurance the person who hit me has?
- If I give you a recorded statement, will you give me a copy of the recorded statement that you already got from the person who caused the accident?
- If I sign this medical release, will you immediately forward to me a copy of everything you get using my release?
- Will you tell me how much money you have set aside in “reserve” for my claim?
- Will you give me copies of the recorded statements that you have taken from any witnesses?
- Will you tell me now whether there is any “umbrella” insurance coverage available to cover my claim?
- Will you tell me whether you have already done video surveillance of me?
- Will you give me a copy of any “index” information that you have already gotten from your computer system?
- Will you give me a copy of any financial information that you may have already obtained on me?
- Will you tell me which of my neighbors you have already interviewed?

Good Luck! My experience is that the information sharing with insurance companies is a “one-way street.” You give to them but they *don't* give to you!

The Insurance Companies Will Stop at Nothing to Destroy Your Claim

This story is almost unbelievable, yet Progressive Insurance Company ADMITTED to these actions in 2007. It seems that the insurance company actually hired private detectives to JOIN A CHURCH in order to discredit a couple suing the insurer.

Progressive Corp. Chief Executive Glenn Renwick later apologized for the use of private detectives. What the investigators and Progressive people did was wrong—period,” Renwick, head of the third-largest U.S. auto insurer, said in a statement. “I personally want to apologize to anyone who was affected by this.

Apparently, the Progressive detectives joined an Atlanta church, then apparently worked their way into and taped support group sessions where members discussed topics of abortion, sexual orientation and addiction.

This conduct is outrageous, but unfortunately, not all that unusual. Victims of car accident cases must be ever vigilant, because these companies will stop at nothing.

Progressive has been sued on this matter and based upon the admission of its CEO, should expect to pay millions.

Here are Some of the Arguments the Insurance Company Will Use to Justify a Low Payment (or outright denial of your claim)

- You weren't wearing your seatbelt.
- Your car had defective equipment.
- You were drunk or impaired by legal or illegal drugs.
- You didn't see our guy blow the red light, so it's your fault you got hit.
- You exaggerated the bad guy's speed or conduct, so you are not credible.

This Book is NOT Legal Advice!

The South Carolina Supreme Court requires that I inform you that what is in this book is not legal advice. I am not your lawyer until you and I enter a written agreement for me to be your lawyer. I know the arguments the insurance company will make- and so should you – even before you file your claim. I can offer suggestions and identify traps, but please do not construe anything in this book to be legal advice about your case, as each case is different and an attorney can only give you quality legal advice when he or she understands the facts involved in your case.

About the Author

South Carolina attorney **Shelly Leeke** has been representing people injured in accidents for nearly a decade. A native of the Palmetto State, Shelly is a graduate of



Wofford College in Spartanburg. She attended Tulane Law School in New Orleans, Louisiana, where she graduated cum laude. She is the recipient of a CALI Excellence for the Future Award, and also earned an Achievement Award from McGill University in Montreal, Quebec, for her studies in human rights law. She served as a judicial law clerk in the Louisiana Supreme Court and practiced in an insurance defense firm for a short time before deciding to focus her career on representing injury plaintiffs.

Shelly is the founder of the Shelly Leeke Law Firm, LLC. The firm focuses on personal injury law, including automobile accidents, pedestrian accidents, bicycle accidents, fall accidents, and drunk driving victims. The firm handles accident cases throughout the state of South Carolina, particularly in the low country counties of Charleston, Berkeley, Dorchester, Colleton, Georgetown,

Clarendon, Beaufort, Jasper, Orangeburg, Sumter, Williamsburg, Hampton, and Horry. Shelly represents victims of personal injury and automobile accidents as well as wrongful death and worker's compensation clients. Shelly has represented clients throughout the state and nationwide.

Shelly is a member of the South Carolina Bar and the Louisiana State Bar and is licensed to practice in state courts and the United States District Court Eastern District of Louisiana Federal Court, United States District Court Western District of Louisiana Federal Court, and the United States 5th Circuit Court of Appeal. She is a member of the South Carolina, Louisiana, Charleston and American Bar Associations.

Shelly's professional associations include involvement with the South Carolina Association for Justice, The American Association for Justice, The Center for Women, Rotary Club International, and The Chamber of Commerce. She is dedicated to promoting community outreach to all of the children in our community. She is actively involved as a big sister with the Big Brothers/Big Sisters of Carolina Youth Development Center. When she is not working, Shelly can be found playing tennis, going for a bike ride, jogging, or spending time with her chihuahuas, C.C. and T.T.

Making Time For You

My law firm is dedicated to putting clients first.

My law firm is not an “auto injury case mill.” We don’t handle every type of law or every case that comes in the door. Each injury case that meets the criteria for representation by this firm is treated as an integral part of our team. When you become a client, you will know the attorney handling your case and you will be able to speak with your attorney throughout the case. You will receive case updates and valuable information that will keep you informed during your case and beyond. Paralegals and assistants are not allowed to give you advice regarding the insurance company, your injuries or your case. I believe that better results come from attorneys who handle fewer cases. That is why my firm only accepts cases that meet the criteria outlined in the first page of this book. I continuously monitor the firm’s caseload to ensure that each case receives the individual supervision of an attorney.

Individual attention to each case means more time for you and, I believe, better results overall.

What Cases Will Shelly Leeke Not Accept?

- Cases involving minor impact. Bumps and scratches on your rear bumper do not make for a good case in South Carolina. Period.
- Cases with little medical treatment or a significant delay in seeking medical treatment. Cases with little medical treatment can sometimes be settled on your own.
- Cases where the statute of limitations will soon run. Your delay is not going to become my crisis.
- Cases where you were charged in the accident.
- Cases where you assumed the risk of your injury. Please don't call us if you spent three hours in a bar and let your drunk friend drive or if you decided to test to see how fast your mom's Lexus could really go.

Well, Are There Any Cases Left?

Yes, there are, and Shelly Leeke Law Firm, LLC represents lots of accident victims.

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There is no need to destroy this book. Just photocopy this form, fill it out and mail or fax it to us.

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Or call us: **843-297-8485**
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