

Personal Injury

Personal injury is a rather broad area of practice concerning many types of injury to the person. There are many ways that a person can be injured either by the intentional acts of another person or by the negligence of another person or legal entity.

Some of the Personal Injury Sub-Categories are:

- Automobile accident
- Truck, bus, train, or MARTA accident
- Injury To Bicycle Or Motorcycle Rider
- Pedestrian Accident
- Premises Liability
- Work Related Injury
- Medical Malpractice
- Nursing Home Neglect or Abuse
- Dangerous Products
- Animal Bites
- Domestic Injury Cases
- Slip and fall accident
- Use of excessive force
- Unprovoked attack
- Wrongful death
- Airplane accident
- Toxic chemicals
- Products Liability
- Defective design
- Defamation of character, libel/slander

Jerry has been involved with cases involving many of those issues including, but not limited to wrongful death, medical malpractice, automobile accidents, guest passenger accidents (which involves a passenger being injured in a car driven by another person), intentional infliction of injury causing brain damage, pedestrian accident, products liability injury, worker's compensation injury, slander, injury to reputation, injury by animal, automobile collision with bicycle rider, premises liability and domestic injury.

Jerry's Helpful Hints

1. Remain as calm as you can if you are injured as a result of the negligence or fault of another person. Remember, the other person probably did not intent to cause you any harm. In all likelihood, it was the direct result of some negligence.
2. Get the necessary medical attention promptly.

3. Call the police so that an investigation can be made and a police report can be filed of record.
4. Get the name, address and contact information of any and all witnesses to the accident. Remember some witnesses will want to leave the scene even before the police or ambulance arrives. Do not wait on the police to identify the witnesses.
5. If able, make photographs from all angles of any damage to any vehicle and the location of each vehicle involved relative to where the vehicle came to rest after the accident.
6. Photograph any skid marks which might be involved of each vehicle and take photographs of any injured party, if appropriate.
7. Seek medical attention or at least a checkup if you even think that you have been injured. Some injuries do not manifest themselves for several days after the accident.
8. Strictly follow your doctor's advice and take any and all prescribed medications unless you have some reaction to the medication in which case you need to ask your doctor for an alternate medication.
9. Document everything in a journal or on a calendar. If it is necessary to go to trial, that process might take two or three years.
10. Notify your insurance carrier of the accident.
11. Contact me or another attorney of your choice so that you may receive advice on how to protect yourself and your claim for injuries.
12. Be sure to attend any court hearing scheduled for the driver who might have been at fault. Hopefully, you will have hired an attorney before that court hearing date.
13. If you have been unable to photograph damage to the vehicles at the scene of the accident, try to secure photographs of the vehicles before they are repaired.

Motor Vehicle Collisions, including automobile, bus, train or MARTA

In most accidents there is an "at-fault" driver or a driver who was negligent or failed to control the vehicle he/she was driving. A claim can be filed against the negligent driver's insurance company. If the claim is not settled, a law suit must be filed against the driver; the insurance company will then hire a lawyer to defend its insured. The law suit must be filed within 2 years of the date of the collision, if the collision occurred in the State of Georgia. However, some of our neighboring states have a much shorter time frame in which the law suit must be filed. It is necessary to determine where the collision actually took place so that the appropriate statute of limitations can be determined.

Injury To Bicycle Or Motorcycle Rider

If a bicycle or motorcycle rider suffers injury as a result of the actions of a motorist, the bicycle or motorcycle rider will have a cause of action for damages against the driver of the motor vehicle.

Pedestrian Accidents

Pedestrians have the right of way while they are in a crosswalk, but otherwise must yield to traffic. However, once a driver becomes aware of the presence of a pedestrian, he/she must take appropriate action to try to avoid a collision.

Premises Liability

The owner of premises which are open to the public, such as a store, has a duty to act reasonably to keep the premises safe. Depending upon the nature of the business, the owner may have a duty to inspect and clean the premises regularly in order to discharge this duty. If a patron slips and falls on a substance left on the floor, the owner will only be liable if he/she knew, or should have known, of the presence of the substance. If the owner inspected and/or cleaned the area shortly before the fall, the owner may escape liability. Of course, premises liability is a broad area which includes much more than injuries caused by a substance on the floor. Inadequate security, improper lighting, improper construction which violates the building codes, maintaining vicious animals or other dangerous conditions, concealing unsafe materials or depressions in or un-level walking areas can subject

property owners and/or tenants to a law suit for damages for injuries sustained.

Work Related Injury

Accidents on a construction site can be the responsibility of any number of people.

In most cases Workers' Compensation benefits will be available to the injured worker, without regard to fault. If Workers' Compensation Insurance applies to the incident, the worker has no other claim against the employer. However, a claim might be able to be brought against another subcontractor if the subcontractor, or its employee, caused the injury.

Medical Malpractice

Physicians must exercise a reasonable level of skill and judgment while treating their patients. The required standard of care is determined by other doctors. Any medical professional who fails to provide sufficient care may be liable for any injuries suffered by the patient as a result. We can help you evaluate your claim and determine whether or not you should proceed with your case.

Nursing Home Neglect or Abuse

Nursing homes often operate on very tight budgets and this can affect wages and the level of care they provide. The Georgia law governing Patients' Rights requires there be a certain level of services provided to residents of a nursing home. If the nursing home neglects or abuses a patient, the patient (or his/her family) has the right to file a lawsuit for the harm caused.

Dangerous Products

There are many food, chemical and drug products that have been released to the public which were later discovered to cause serious, unanticipated harmful side effects. The manufacturer, retailer or distributor may have some responsibility to those adversely affected by the chemical, food or drug. Other dangerous products are sold to the public and cause injuries to the consumer. The injured person may be able to hold the manufacturer, distributor, or retailer responsible for those injuries.

Animal Bites

In Georgia, the owner of a pet or other animal may be held responsible for injuries caused by that animal if the owner knew or should have known that the animal could cause harm due to the animal's history and propensity to demonstrate viciousness. The owner of a pet may also be liable to an injured person if the owner of a pet has violated leash laws concerning the restraint and control of pets.

Domestic Injury Cases

Injuries inflicted by a spouse upon a spouse can be a very tricky area under the law. If you have been injured by your spouse (or if you have injured them), please raise this issue with your lawyer and ask what your rights and potential liabilities are. Often such injuries are referred to by lawyers as "Torts" meaning an actionable injury. (or if you have injured them), please raise this issue with your lawyer and ask what your rights and potential liabilities are. Often such injuries are referred to by lawyers as "Torts" meaning an actionable injury. You may forfeit some rights if these issues or claims are not raised in the divorce, such as the right to recover for injuries inflicted upon you by your spouse during the marriage. While generally the injuries must be physical, the law is in flux, and perhaps emotional injuries can be compensable, although those are often difficult cases to prove. Nonetheless, physical injuries are not limited to bruises, cuts and broken bones, they may include sexually transmitted and other diseases transferred intentionally or negligently by one spouse to another.

Wrongful Death

Although wrongful death involves the element of personal injury, it is considered to be a separate category of injury. A wrongful death claim can arise when someone dies as a result of any type of injury, including but not limited to, an automobile collision, a truck/car collision, medical malpractice, airplane crash, train crash or any type of intentional or negligent act causing the death of another person. Jerry has experience in dealing with wrongful death actions caused by the negligence of another person, including medical malpractice.