

## Frequently Asked Questions

I thank you for considering to hire our firm to represent you in your case. We appreciate your confidence and will do everything we can to help you. The outcome of your case also depends a lot on what you do to help us represent you; however, what follows in this letter is some additional advice and answers to common questions in cases such as yours.

### **QUESTION NO. 1:** How long will it take to complete my case?

It is difficult to predict how long the various stages of your case will take or if we will actually have to go through the final stages of trial or appeal. There is discovery, negotiation, and preparation for trial that can take many months or even a couple of years in some instances. Sometimes there will be much more activity in your case than others and there will be a lot of work and activity close to the time of trial. If through the course of the various work on your case and stages of its preparation you become discouraged or concerned about how things are going, please call us or stop and see us so that we can keep you as well informed as possible.

### **QUESTION NO. 2:** Do I need to keep track of the doctors and hospitals I see or the doctor bills?

YES. We rely on you to inform us about all hospital, doctor, prescription, or other expenses caused by your injuries. We must also rely on you to keep us updated concerning your medical condition, visits to health care providers, and all out-of-pocket expenses of your case. It is important for you to keep track of and tell us about any and all payments made on those accounts, even if the payment is made by someone other than you. If you are being pressured to pay a bill by a collection agency, insurance company, or health care provider, tell us right away and perhaps we can help you defer collection efforts. We suggest that you keep a complete list of the names and addresses of each and every doctor, hospital or health care provider that you see in connection with your case. We also need to know when you see these health care providers, and we rely on you to provide us with a full list of the expenses associated with your care and treatment. Thus, we suggest that you keep a record of all doctor visits, hospital appointments or therapy appointments and keep a good idea of what charges have been made regardless of who pays the charges. Even if your charges are paid by your own health insurance company, they may want to “subrogate” and ask you to pay them back out of any settlement or judgment that you might obtain. So, it is very important to keep accurate records of your medical expenses.

We would like you to send us all monthly statements that your receive, including insurance papers and collection letters along with any other documents (work restrictions, etc.) that any of your health care providers furnish to you.

### **QUESTION NO. 3:** What about witnesses that I know about or find out about?

We need to know the names and addresses of any and all witnesses that have knowledge of any of the issues in your case. This includes people who may not see it the way you saw it. By now you probably have given us the names of some of the witnesses, but remember to tell us about any people you may remember or discover later.

**QUESTION NO. 4:** Who can I talk to about my case and what should I say?

Please refrain from discussing your case with other people more than is absolutely necessary. Often times, people do not hear correctly or misunderstand the comments you make. If that happens, these people may be called into court to contradict what you say about the way you were injured or the extent of your damages.

**QUESTION NO. 5:** Will I be investigated by the Defendant or their insurance company?

Make no mistake that there is the possibility (and perhaps probability) that during the time of your recovery and up to the time of trial, you may be under surveillance by a private detective or investigator. You may be followed or watched from across the street from your house. Often times, these investigators will watch for days and only videotape or photograph activity that make it look like you are exaggerating your injuries. Be aware that this may occur, and if you notice suspicious activity, please let us know. There are discovery methods by which we can determine if you have been under surveillance.

**QUESTION NO. 6:** How do I keep informed of what is happening in my case?

We will do our best to stay in touch with you and keep you informed of your case. We will send you copies of pleadings and correspondence and try to return your calls as promptly as possible. However, you must understand that many times our attorneys are out of town or in court on another case, and it may be some time before your call can be returned. Because of conflicting schedules between us and the client, email can often times be a quicker way for us to stay in touch with each other. Feel free to email Aaron at [iowalawpractice@gmail.com](mailto:iowalawpractice@gmail.com) or his paralegal, Becky, at [beckymurphy358@hotmail.com](mailto:beckymurphy358@hotmail.com) any time.

**QUESTION NO. 7:** What can I do to help myself with my case?

Above all else, **FOLLOW YOUR DOCTOR'S INSTRUCTIONS!** Under Iowa law, failure to do so can be considered negligence on your part and can reduce any verdict you may be awarded.

**FOLLOW YOUR DOCTOR'S ORDERS  
TO THE LETTER - UNTIL HE OR SHE CHANGES THEM**

It is important to you, your case, and us, as your attorneys, that we are kept updated with new information regarding your case. Again, we want you to be informed so if you have any comments or questions, please don't hesitate to contact us.

In addition to those things mentioned above, there is something else I want you to do - **keep a personal injury journal**. If I tell people this once, I must tell them a thousand times. By the time this case is over, you will be absolutely sick of hearing me tell you to keep a personal injury journal. However, if there is one thing that will make a difference in your case, it is this. I want you to record how you feel when you get up in the morning. How bad do you hurt? Where does it hurt? Is it hard

to get out of bed? Do you need help getting out of bed? Are you dizzy when you get out of bed? Do you wake up with headaches? How do you feel once you are up for a while? How bad is the pain? Again, do you have headaches? I want you to keep this journal every day. I also want you to label it by day (Saturday, for example) and date (such as November 18, 2000, for example). You may notice that you cannot do the same activities that you used to be able to do. When you notice this, I want you to write this down in your personal injury journal. For example, if you notice that vacuuming is becoming a problem, I want you to write that down. I also want you to write down where it hurts. If you cannot engage in athletics you used to be able to do, I want you to keep track of that in your daily journal. I want you to keep track of your disability to perform or enjoy any of your recreational activities. Also, keep track of interference your injury has with family activities, religious activities, and social activities. As you go through the day, keep track of whether the pain is continuous or intermittent and whether it ever changes. If there is something that makes you feel better (such as medication or massage) write it down. You will also find enclosed an outline that I have prepared entitled "Damages". This is a general outline that I refer to constantly to make sure that I am "keeping my eye on the ball." I have found that it is helpful if my clients have a copy as well so they can see what their case is all about. One thing that you now know (or will soon learn) is that proving liability (that it was the other guy's fault) is only half the battle. The other half is proving that you are hurt.

You may have uninsured/underinsured insurance coverage that may help pay you for some of the damages. Therefore, **let me know who your insurance carrier was at the time of the accident, give me a copy of your policy in effect at the time of the accident (if you have it, forward a copy to me, and if you don't have a copy, get one, perhaps by contacting the agency through whom you purchased it, and forward a copy to me), and let me know the agency** through whom you purchased the policy in effect at the time of the accident.

An additional link to this personal injury page is an **Injury and Pain Questionnaire**. I would like for you to take some time and fill this out as accurately as you can. This is very important, and I would suggest that you do it when you have some quiet time available to think it through. Again, answer each question as completely as you can and return to me when completed. Don't wait on this; get it done quickly. In addition, I need you to either complete and/or sign the following forms (these also have links on this work comp page) and return them to me (have forms notarized when needed):

1. **Client Information Form;**
2. **Activities of Daily Living;**
3. **Authorization to Release Information;**
4. **Employee Records Authorization;**
5. **Fee Agreement.**

Also as a link to this work comp page is an "**Information Update Form.**" Please follow the instructions on that form whenever there is a change in circumstances.

Forward to me any letters, bills, checks, or other documentation you have received thus far which in any way relate to this injury. These could have come from your insurance company, the at-fault

driver's insurance company, medical providers, etc. These types of documents contain important information which is essential in helping me properly manage your case so that things run smoothly. Also, I will need you to get me copies of your last five (5) tax returns, including attachments, as we will need those later on.

Return these to me as soon as possible.

**FURTHERMORE, DON'T CASH ANY CHECKS WITHOUT BRINGING THEM TO ME FIRST. WE DON'T WANT ANY ISSUES WITH "ACCORD AND SATISFACTION."**