

## WHAT YOU SHOULD KNOW ABOUT THE LAW

By: Vincent Petrosino

The purpose of this article is to educate and inform the membership on everyday legal issues which you or members of your family may encounter. This is the first in a series of articles which will be regularly published in the Edge. It is my hope that the topics that we explore will be interesting, relevant, and most of all, helpful in deciphering and making sense out of complex, and many times, convoluted legal issues.

Today we briefly explore what you should do in the event of an automobile accident. Most of us are not litigious by nature and could not imagine ourselves suing anyone. Unfortunately, serious accidents occur everyday. Insurance companies and corporations which may be liable for our injuries are rarely forthright and do everything in their power to avoid paying fair and legitimate damages for injuries sustained. Fortunately, we live in a country that allows every citizen to go to court and seek fair and reasonable compensation for injuries sustained. The objective of any lawsuit is to make the injured party whole. In other words, to be in the same position he or she would have been had the accident not happened. This article seeks to give an overview of what you need to do in order to protect yourself and your family in the event of an accident and/or injury.

The old adage “an ounce of prevention is worth a pound of cure” applies to automobile accidents as well. Although, under Illinois Mandatory Insurance laws, every vehicle operating on the roadway must be covered by automobile liability insurance, the reality is that many drivers simply do not purchase insurance. Others purchase the bare minimum of Twenty Thousand (\$20,000.00) Dollars per person. This is clearly woefully insufficient to compensate for serious injuries. Accordingly, I strongly encourage every member who is reading this article to purchase uninsured and underinsured motorist coverage (UM/UIM) of at least One Hundred Thousand (\$100,000.00) Dollars or an amount equal to your liability limits if they are higher than One Hundred Thousand (\$100,000.00) Dollars. This is the only way to insure that your family and loved ones are protected. It is also important to know that this coverage not only applies to persons in your vehicle, but also to you and your family members if you are struck walking or riding a bicycle.

In the event of a personal injury, no matter from what type of accident, prompt investigation is critical to the success in the eventual personal injury litigation. It is important to obtain witness statements, inspect the accident site and/or equipment and machinery associated with the accident immediately after the accident before memories change or essential evidence altered. It is important to remember that the legal obligation is upon the injured party to prove his or her case. Therefore, it is critically important that witness testimony be recorded and evidence be preserved so that a litigation can be successfully prosecuted. The more time that passes, the more likely memories are to fade, witnesses are to move or forget important information and physical evidence may be altered or lost. Prompt retention of an attorney so that an immediate investigation can be undertaken to ensure the preservation of these important sources of evidence

is critical to the success in any personal injury litigation. Please be assured that Vincent Petrosino and other attorneys of the Law Firm of Serpico, Petrosino & DiPiero, as well as their investigators, act promptly to investigate claims so that the rights of our clients are protected.

Additionally, you should know that under Illinois law the injured party is given a set period of time within which to file a lawsuit. This is known as a Statute of Limitation. The Statute of Limitation varies depending on a number of circumstances and can be determined after a careful assessment of the facts by an attorney. Great care should be taken so that there is ample time to investigate and file a lawsuit well within the appropriate Statute of Limitations.